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ACCOUNTS AND PAPERS:

SIXTY-FIVE VOLUMES.

— *(12.)* —

COLONIES AND BRITISH POSSESSIONS—*continued.*

NEWFOUNDLAND; NEW SOUTH WALES;
NEW ZEALAND; QUEENSLAND; SOUTH AFRICA;
TRANSVAAL; STRAITS SETTLEMENTS;
TRISTAN DA CUNHA; UGANDA; WEST INDIES;
WESTERN PACIFIC.

Session
29 *January* 1908 —— 21 *December* 1908.

VOL. LXXIII.

1908

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ACCOUNTS AND PAPERS:

1908.

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FURTHER CORRESPONDENCE

RELATING TO THE

NEWFOUNDLAND FISHERY QUESTION.

(*In continuation of* [*Cd.* 3262] *December*, 1906.)

Presented to both Houses of Parliament by Command of His Majesty.
October, 1907.

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			1907.		
103	To the Governor ...	Telegram	September 9	Conveys text of Order in Council of September 9th, 1907, for immediate publication.	167
104	The Governor ...	Telegram	(Rec. Sept. 11.)	Requests that publication of the Order in Council of September 9th may be withheld as a full message is being sent.	167
105	To the Governor ...	Telegram	September 11	Agrees to postponement of publication of the Order in Council of September 9th, pending receipt of his further message.	167
106	Ditto	—	September 11	Transmits copies of Order in Council of September 9th, regarding the taking, drying, and curing of fish.	167
107	Ditto	—	September 11	Points out that the Order in Council, until formally revoked by His Majesty in Council, is binding on the Government of Newfoundland.	169
108	The Governor ...	Telegram	(Rec. Sept. 12.)	Conveys epitome of Ministers' minute dealing with the Secretary of State's telegrams of September 6th and 9th (Nos. 100 and 102), and asking that publication of the Order in Council and its communication to the Senior Naval Officer may be delayed pending consideration of their course of action.	169
109	Ditto	—	September 2 (Rec. Sept. 14.)	Transmits, with remarks, copy of a letter from Sir R. Bond submitting what he considers to be a practicable working arrangement for next season.	170
110	To the overnor ...	Telegram	September 14	Regrets that the arguments in No. 108 afford no ground for the revocation of the Order in Council, and that it must be published immediately on arrival of the American fishermen, unless before that date Ministers have accepted the *modus vivendi.*	172
111	The Governor ...	Telegram	(Rec. Sept. 15.)	Reports arrival of the United States vessel "Gresham"; enquires whether the Order in Council should be published on the arrival of the fishing vessels awaited.	172
112	To the Governor ...	Telegram	September 16	Requests that Ministers may be informed of the arrival of the "Gresham," and that the Order in Council must be published unless they accept the *Modus Vivendi;* adds that the Order should be published forthwith in the event of the arrival of fishing vessels.	172
113	Ditto	—	September 17	Observes that the proposal in No. 109, is one which might well have been pressed upon the Government of the United States if it had been made earlier; His Majesty's Government earnestly desire that satisfactory arrangements may be made with the United States fishermen.	173

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
114	The Governor ...	—	September 10 (Rec. Sep. 18.)	Forwards leading article from the "Evening Telegram of St. John's" on the *Modus Vivendi.*	173
115	Ditto	Telegram	(Rec. Sept. 18.)	Reports that the "Gresham" sails for the West Coast on September 19th; most of the American vessels will come with skeleton crews and without boats and their arrival will depend on the closing of the mackerel season on their own coast.	174
116	To the Governor ...	—	September 18	Transmits copies of notes exchanged with the United States Ambassador on the subject of the *modus vivendi.*	174
117	Ditto	—	September 19	Places on record the reasons which led to the conclusion of the *modus vivendi*, and the passing of the Order-in-Council of September 9, 1907.	175
118	Ditto	—	September 19	Replies to the Address of the Legislative Council and House of Assembly transmitted in No. 59.	179
119	The Governor ...	Telegram	(Rec. Sep. 21.)	Submits Minute from Ministers stating that they cannot be parties to the *modus vivendi* and protesting against the promulgation of the Order in Council.	180
120	Ditto	Telegram	(Rec. Sep. 22)	Reports that Sir R. Bond declines to publish the Order in Council and that he (the Governor) will publish it on the arrival of the first American vessel, if not otherwise instructed.	181
121	To the Governor ...	Telegram	September 23	Regrets refusal of Ministers to co-operate in carrying out the *modus vivendi*, and directs that the Order in Council should be published at once; states that Ministers cannot be supported in any attempt to enforce the service of process on American vessels, and that the Senior Naval Officer has been so instructed; adds that any friendly arrangement to facilitate fishery matters between Newfoundland and American fishermen, provided the pledges given to the United States Government are fully safeguarded, would be welcomed.	181
122	Ditto	Telegram	September 23	Approves of the publication of the Order in Council in the next "Royal Gazette."	181
123	The Governor ...	Telegram	(Rec. Sept. 25)	Reports publication of the Order in Council in the Royal Gazette of September 24.	182

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
124	The Governor ...	Telegram	(Rec. Sept. 25)	Reports that public meeting at Bay of Islands, while supporting the efforts of the Colonial Government to secure inshore fisheries for the Colony, asks the Colonial Government to remove restrictions on selling fish for the season of 1907.	182
125	To the Governor ...	—	September 26	Replies further to No. 119	182
126	Ditto	—	September 26	Acknowledges receipt of No. 124 ...	183

APPENDIX.

Correspondence between the Secretary of State and Sir R. Bond.

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
1	Sir R. Bond ...	—	June 10	Submits remarks on the proposed communication to the American Ambassador; regrets that he cannot agree to the proposed *modus vivendi.*	184
2	Ditto	—	June 15	Submits conclusions of the Newfoundland Government on the amended draft despatch to the American Ambassador, and remarks on the results that must ensue from an enforcement of its provisions.	185
3	Ditto	—	June 17	Submits further remarks on the question of service of process on British subjects when on board American vessels.	188
4	To Sir R. Bond ...	—	June 18	Informs him that, as a result of discussion with Sir E. Gray, it has been decided to omit from the draft note any reference to the serving of process on United States ships; His Majesty's Government are not prepared to advise that the Act of 1906 should be consented to.	188
5	Sir R. Bond ...	—	June 19	Expresses satisfaction that it has been decided to omit reference to the service of process, and observes that the Colony regards it as an exceptional grievance that the Act of 1906 should be suspended or disallowed.	189
6	To Sir R. Bond ...	—	June 19	Transmits copy of the amended draft to the American Ambassador.	190

NEWFOUNDLAND.

FURTHER CORRESPONDENCE

RELATING TO THE

NEWFOUNDLAND FISHERY QUESTION.

No. 1.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8 a.m., October 13, 1906.)

TELEGRAM.

[*Answered by No.* 2.]

I am desired by my Responsible Advisers to transmit following message:—

Begins: The Committee of Council have had under consideration a telegram received by His Excellency the Governor from the Right Honourable the Secretary of State for the Colonies announcing the conclusion of a *Modus Vivendi* with the Government of the United States. They desire to record their profound regret that His Majesty's Government have seen fit to ignore their representations and entreaties, and to conclude an arrangement which is, they submit, subversive of the Colony's constitutional rights and calculated to work severe injury to the fisheries of the Colony. The Committee also regard with alarm the Cabinet's consent to an arrangement which is apparently intended to over-ride statutes that have received the Royal Assent. They earnestly hope that the arrangement is not beyond reconsideration by His Majesty's Government, and that by annulling the arrangement the Colony may be saved from the humiliation and danger that threatens it. *Minute ends.*

MACGREGOR.

No. 2.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 11.40 a.m., October 23, 1906.)

TELEGRAM.

[*Answered by No.* 7.]

Your telegram of the 12th October.* His Majesty's Government deeply regret that *modus vivendi* which has been concluded with the United States Government is not acceptable to your Ministers, but they do not understand grounds on which they base their complaint of subversion of constitutional rights and over-riding of statutes, and they submit that in the circumstances the correctness of their action cannot reasonably be called into question. In any case it is now too late for them to attempt to withdraw from the arrangement and they trust that your Ministers will do what lies in their power to see that it is properly observed.—ELGIN.

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* No. 1.

No. 3.

HOUSE OF COMMONS, October 25, 1906.

MR. ASHLEY asked the Under Secretary of State for the Colonies whether the Newfoundland Government was consulted and its adherence obtained to the provisional agreement entered into between His Majesty's Government and that of the United States with reference to the Newfoundland fisheries.

MR. CHURCHILL, in reply, said:—"The Newfoundland Government were, of course, consulted before any negotiations were begun, and were fully informed of their progress at each stage. His Majesty's Government were not, however, so fortunate as to obtain their adherence to the provisional agreement which circumstances rendered necessary."

No. 4.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 25, 1906.)

MY LORD, Government House, St. John's, October 13, 1906.

I HAVE the honour to transmit, for your consideration, a copy of certain resolutions which purport to have been passed by "the business men of St. John's" protesting against an alleged gross infringement of the Constitutional Rights of the Colony, and the injury to its inhabitants, caused by the *Modus Vivendi* which has recently been negotiated between His Majesty's Government and the Government of the United States, having reference to the herring fishery on the west coast of this island.

2. The original of the resolutions, with the attached signatures, forwarded to me in the letter of Sir Robert Bond, copy of which is attached, are recorded in the Governor's office here.

3. I would point out to Your Lordship that these resolutions have been signed by members of the principal business houses in the city, and that the signatures may therefore be held to be fairly representative, though I notice the absence of the names, as might be expected, of some men of large experience and interests in business here.

4. As neither the text of the *Modus Vivendi*, nor the correspondence that led up to it, has been made public, it would not be safe for me to say how far the gentlemen that signed these resolutions had definite knowledge of, or acquaintance with, those subjects. It would, however, seem reasonable to suppose that the form of these resolutions might have been considerably modified had these gentlemen had before them the text of the documents referred to above. This point I have brought to the notice of my Prime Minister in a letter copy of which I enclose herewith.

5. I am not in a position to say to what extent the signatories to the resolutions are directly concerned in business connected with the herring fishery on the west coast; but I am given to understand that their direct share in it is not large.

Nor am I able to inform Your Lordship how far the views and opinions of the business men of St. John's are in conformity with those held by the residents of the west coast, whose interests are directly concerned, as I have before me no information as to how the question is regarded by the latter.

6. I enclose herewith copies of (*a*) the letter I have received from Sir Robert Bond, covering the resolutions in question; and (*b*) the letter by which the

Honourable John Harvey, Member of the Legislative Council, transmitted the resolutions to Sir Robert Bond.

I have, &c.,
WM. MacGREGOR.

Enclosure 1 in No. 4.

Whereas the business men of St. John's have heard with alarm and astonishment of the *Modus Vivendi* which has been recently negotiated between the Government of Great Britain and of the United States of America having reference to the prosecution of the herring fishery on the west coast of Newfoundland, and that without submission to the Colonial Legislature:

And whereas such action is in violation of the rights of a self-governing Colony, and whereas the effect of such a measure which amongst other obnoxious concessions sanctions the use of purse seines would be ruinous to the fishery interests of that part of the Colony:

Be it resolved: That the trade protests against such a gross infringement of the Colony's Constitutional Rights; protests against the inevitable financial loss to the Colony; and further protests against the serious injury which will be done to the inhabitants on the west coast of the island, and to the general interests of Newfoundland at large.

Resolved: That a copy of this protest be sent to His Excellency the Governor in Council.

Edgar R. Bowring.
W. B. Grieve.
Wm. E. Bearns.
W. Marshall.
William C. Job.
A. MacPherson.
W. Martin.
J. F. Martin.
James C. Baird.
T. M. McNeil.
Geo. Shea.
S. Milley.
Geo. Knowling.
Fred. W. Ayre.
Chas. P. Ayre.
Thos. Smyth.
J. B. Urquhart.
Henry Blair.
P. C. O'Driscoll.
A. D. Rankin.
C. R. Steer.
F. H. Steer.
G. C. Fearn.
R. Fennell.
Colin Campbell.
R. Templeton.
Stephen March & Sons.
R. G. Rendell.
John Harvey.
T. J. Edens.
John Harris.
E. J. Horwood.
C. MacPherson.
W. J. Martin.
William Frew.
Robert Wright.
J. MacGregor.
W. A. Ellis.
J. S. Pitts.
A. Goodridge & Sons.
Bishop and Munroe.
Geo. J. Carter.
Hunt & Co.
Tessier & Co.
C. P. Eagan.
A. J. Harvey.
C. McK. Harvey.
F. E. Rendell.
J. Henderson.
A. H. Murray.
W. H. Franklin.
John Anderson.
Henry A. Bowring.
Fred. W. Hayward.
Robert B. Job.
John Browning.

Enclosure 2 in No. 4.

Colonial Secretary's Office, St. John's,
Newfoundland, October 12, 1906.

Sir,

The Committee of Council have had under consideration resolutions unanimously adopted by the business men of St. John's at a meeting convened to consider the terms of the *Modus Vivendi* recently entered into between His Majesty's

Government and that of the United States of America. Your Excellency will notice that it is signed by the representatives of all the commercial houses in this city, and is therefore entirely representative in its character as to the feeling of the trade of the Colony in respect to the aforementioned arrangement.

The Committee of Council concur with the request that a copy of these resolutions should be forwarded to the Right Honourable the Secretary of State for the Colonies for the consideration of His Majesty's Ministers, and will be pleased if Your Excellency will concur and forward it by the first outgoing mail.

I send you, in original, the document referred to, with the covering letter from the Secretary of the meeting, Honourable John Harvey.

I have, &c.,
R. Bond,
Colonial Secretary.

His Excellency
Sir Wm. MacGregor, K.C.M.G., C.B.

Enclosure 3 in No. 4.

Government House, St. John's,
October 13, 1906.

Dear Sir Robert Bond,

I shall have much pleasure in complying with the request contained in your letter of yesterday's date, and received this morning, that I should forward by the first outgoing mail, for the consideration of His Majesty's Ministers, certain resolutions adopted by the business men of St. John's at a meeting convened to consider the terms of the *Modus Vivendi* recently entered into between His Majesty's Government and that of the United States of America.

2. I am informing the Secretary of State that I retain as a record of this office the original resolutions with the signatures attached to it; and that although I notice the absence of the names of some men of large experience in business and with important interests, still the signatories of the resolutions may, in my opinion, be regarded as fairly representative of the commercial gentlemen of this city. I am not able to inform the Secretary of State to what extent they are directly engaged in business with the west coast, to which the resolutions specially refer; nor as to how far their views are shared by the residents of that part of the Colony, as to which there is no information before me.

3. I need hardly say that in forwarding these resolutions I do not presume to offer to the Secretary of State—a man whose vast experience and sound judgment are known throughout the whole Empire, and who has the advice of the ablest lawyers in the Kingdom to assist him—any opinion whatever as to the constitutional questions raised in these resolutions.

4. I feel sure that the Secretary of State will be glad to have before him the opinions held here by the influential gentlemen that have signed these resolutions, as representing the commercial, if not the legal, view of the question.

It is manifest, however, that the consideration to be given to these representations must be influenced by the question of how far the text of the *Modus Vivendi*, and a knowledge of the correspondence that led up to it, were known to those that signed the resolutions. As none of these papers have been made public it is my duty to inform the Secretary of State that the text of the *Modus Vivendi* and the correspondence to which it is the culminating point are known only to the members of the Executive Council, unless I am informed to the contrary.

This, in my humble opinion, is a matter of importance, and for this reason: Personally, I regard the *Modus Vivendi* as the outcome of the Memorandum communicated by His Majesty's Government to the Government of the United States, which, with its covering despatch, was communicated to you on the 9th March. That Memorandum expresses lucidly the claims and contentions of this Government with such cogency and earnestness, and with such whole-hearted loyalty towards this Colony, that a knowledge of it would probably have considerably modified the form of the resolutions now submitted, as it would be difficult to read that Memorandum without obtaining the conviction that His Majesty's Government had used its utmost endeavours to give practical effect to the wishes of this Government to the largest extent they found possible.

5. I understand that the first opportunity by which I can forward the resolutions will present itself on the 16th instant.

I have, &c.,
WM. MACGREGOR.

The Right Honourable
Sir Robert Bond, P.C., K.C.M.G., &c.,
Prime Minister.

Enclosure 4 in No. 4.

SIR, St. John's, October 12, 1906.

I HAVE the honour to forward herewith resolutions unanimously adopted at a meeting of the commercial men of this city last evening, and to request that His Excellency and Council may be pleased to transmit the same to the Secretary of State for the Colonies.

I have, &c.,
JOHN HARVEY,
Secretary.

The Right Honourable
Sir R. Bond, P.C., K.C.M.G.,
Colonial Secretary.

No. 5.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 25, 1906.)

MY LORD, Government House, St. John's, October 16, 1906.

I HAVE the honour to forward herewith, for your information, copies of two reports that have been furnished by the chief police officer at Bay of Islands to the Inspector-General.

2. It will be gathered from the report of the 9th instant that up to that date no organised opposition to American fishermen had been entered on. It will also be noted that the District Inspector deems Sunday fishing "a bad feature" in the fishery.

The first American fishing vessel arrived at Bay of Islands on the 9th October, and is provided with a purse seine. The "Fiona," with Inspector O'Reilly, had not then arrived at Bay of Islands, but the "Potomac" was already there.

3. The report of the 14th instant states that quiet prevails at Bay of Islands, and that four American vessels, three Nova Scotian vessels, and the "Fiona" had arrived.

Three of the American vessels have full crews and boats, and only one appears to have a purse seine. It seems doubtful that the Americans will use the purse seines.

I have, &c.,
WM. MACGREGOR.

Enclosure 1 in No. 5.

SIR, Bay of Islands, October 9, 1906.

I BEG respectfully to acknowledge receipt of your communication of the 5th instant, *re* an organized effort or organizing to use force to prevent Americans using purse seines. I am pleased to say, so far, there is no truth whatever in the statement. Such threats may have been suggested by some individual fisherman here; but I feel satisfied that so far no attempt in that direction has been made; if it were so, I would have reported to you immediately.

I shall anticipate trouble all the time while the fishery is on if prosecuted under same conditions as last year, because the stealing of herring from the nets, and the wilful destruction of gear may cause violence to be used at any time while fishery is in progress. One very bad feature is the fishing on Sunday, which leaves the gear of a large number of local fishermen (who will not fish on Sunday) to the mercy of the Americans and those who will fish. Those who will not fish on Sunday are usually the most determined to protect themselves if ill-used. There is no sign of herring yet reported. Regarding purse seines, they may do neither harm or good to our fishermen. It remains to be proven. They may quite possibly be a failure. The American naval tug "Potomac" is laying at anchor in Birchy Cove, where she has been since 27th September, when she arrived.

The first American vessel, "Vigilant," Wise or Wyse, Master, arrived to-day, anchored in Birchy Cove. She is propelled by gasoline engine and has purse seine. The first Lunenburg vessel arrived on the 6th instant. "Fiona" not here yet. I will carry out your directions as contained in your communication.

J. W. Bartlett,
District Inspector.

J. R. McCowen, Esq., &c., &c.,
Inspector-General.

Enclosure 2 in No. 5.

Sir, Bay of Islands, October 14, 1906.

I beg to state that since my last report quiet prevails. Four American vessels have arrived at Birchy Cove; one remains, three gone outside in quest of herring. Three Nova Scotian vessels have arrived. S.S. "Fiona" arrived here to-day.

Three of the American vessels have full crews, nets, and dories to catch their herring. Only one of those vessels appears to have a purse seine. It is my opinion that the purse seines will not be resorted to, and that they realize that to confine themselves to the nets would be better and more successful.

The first herring taken yesterday, from ½ barrel to 1½ per fleet nets.

J. W. Bartlett,
District Inspector.

J. R. McCowen, Esq.,
Inspector-General.

No. 6.

The GOVERNOR to the SECRETARY OF STATE.

(Received October 25, 1906.)

My Lord, Government House, St. John's, October 16, 1906.

I have the honour to enclose herewith, for your information, copies of the leading articles that have appeared in the "Telegram," of St. John's, from the 9th to the 15th instant.

2. I enclose also two extracts from the "Western Star," a newspaper published at Bay of Islands. As Your Lordship is aware, Bay of Islands is the chief locality in which the winter herring fishery is exercised by American and Newfoundland fishermen. It might, therefore, be reasonably inferred that the "Western Star" represents in a general way the feeling of the west coast fishermen. I am not able to say, however, how far this is really the case. It is at least apparent that the "Western Star" takes a very different view from the "Telegram," of St. John's.

3. There is also forwarded herewith an extract from the "Montreal Star," purporting to set forth the view of the question held by the late leader of the Opposition in the Newfoundland House of Assembly.

I have, &c.,
WM. MacGREGOR.

Enclosure 1 in No. 6.

Extracts from the "EVENING TELEGRAM" of October 9 to 15, 1906.

October 9, 1906.

"It is one more sacrifice of the British Colony," so says the "Pall Mall Gazette," referring to the *modus vivendi* which has been signed by the British and American Governments. The "Evening Globe" declares that in the *modus vivendi* there is hardly a pretence of mutual concession, and the oldest British dependency is treated with absolute contempt in a matter of vital moment to its chief industry. Such is the sentiment expressed by two organs of public opinion in London, and we understand that the London "Standard" is also prepared to wage a battle in defence of the rights of Newfoundland against the gross betrayal of its vital interests by the bureaucrats of Downing Street. Never since the days of the granting of Responsible Government has a greater and more wanton outrage been committed against the fishing interests of this Colony. Not only have these bureaucrats agreed to permit American fishermen to use purse-seines in Treaty waters and by such means to jeopardize the herring industry itself by that destructive method of fishing, but they have committed a gross outrage on the constitutional rights and liberties of Newfoundland self-government. The bureaucrats of Downing Street, in the interests of Gloucester and at the instance of American politicians, have invaded our sacred right of self-government. They have outraged our right to govern ourselves, and at the dictation of foreigners assailed our right of Home Rule. Not only have these Downing Street officials declined to advise the granting of the Imperial assent to the Foreign Fishing-Vessels Bill passed last Session, but they have declined to advise assent to those sections which affect and deal solely with the conduct of our own people and our own affairs. These bureaucrats are sacrificing our fishery, invading our rights of self-government, and all for what? Why have they sacrificed us and invaded our liberties? For American good-will. What part of the Empire has shown more good-will to America than Newfoundland, and what are we getting for it? Merely outrage and insult. Sneers at our merchants and fishermen. Sneers at our Government as a fishermen and fishery Government. But Newfoundland will not submit to be treated so cavalierly by Downing Street officials. Newfoundland has weapons in the 1905 Act and the Bait Act which can win the day, and Newfoundlanders will unite in maintaining her own, resisting invasions of her rights and resenting outrages and insults on her people and her Government. We invite our readers to keep in mind the admission of the "Ramah's" crew, as published in the "Daily News" of the 2nd October, and to read, ponder over, and consider carefully the letter from Gloucester, published in this issue, which makes it clear that if Newfoundland sticks to her policy she will get Gloucester on her hip. Gloucester is already becoming crippled. Newfoundland is already winning. Let Newfoundland fight this battle more vigorously than ever she has fought for her rights before. For her weapons are strong enough to give her full assurance of ultimate success.

October 10, 1906.

Such is the clarion cry of his Grace Archbishop Howley. His Grace has ever proved himself a Newfoundlander of Newfoundlanders in grave emergencies. To-day we are face to face with the gravest crisis which has ever arisen in the history of constitutional government in Newfoundland. To-day our most sacred right, Home Rule for Newfoundlanders in Newfoundland, is being outraged by the Downing Street bureaucrats. To-day, Gloucester is dictating to Newfoundland how Newfoundlanders and their affairs shall be ruled within the jurisdiction of this island.

For months past the Little Englanders of the Colonial Office have been treating with intolerant ignorance the advice of men who have made a life study of this question and turning a deaf ear to the persistent and insistent advice of the Newfoundland Ministry, who have been importunate in insisting on justice and fair play for Newfoundland. For months past the Elgins and Churchills have lent a willing ear to the voice of the Gloucester fishing interests; and now we know these Little Englanders have obeyed that voice as a master voice, and sacrificed Newfoundland and treated the vital interests of Newfoundland with the utmost contempt. They have insulted our national honour, outraged our national sentiment, flouted our right to the Home Rule, and all at the instance of Gloucester. By a usurped and unconstitutional exercise of Imperial power, as objectionable as bureaucratic intolerance in Russia itself, the Downing Street would-be autocrats have affected in the *modus vivendi* which they have agreed on, to confer rights on Gloucester fishermen not conferred on them by Treaty. They have attempted to limit the power of Newfoundland to govern itself at the dictation of Gloucester, and tried to limit Newfoundland in the exercise of its own autonomy over itself. We do not believe that there is a parallel in recent constitutional history for such a tyrannical usurpation of power. In 1857 Newfoundland rose in all its might to protest against a sacrifice of her interests. Now a far graver crisis has arisen, for this is not only a sacrifice of fishery interests, but an attack on our legislative and administrative autonomy. It is an assault on our right to Home Rule. Shall we not resent it? Shall we not fight against this tyrannical usurpation? Our fathers had grit and spirit enough to defend their rights. What about their sons to-day? Have we not inherited the same spirit and grit? Our Premier and his colleagues have been in the fight for months. Our Premier has been straining every nerve for our sake. He is backed by good men and true in the Executive. On Saturday, immediately the news of the *modus vivendi* came to hand, we declared that Newfoundland had been sacrificed, raised the slogan for battle, and determined resistance to this tyrannical usurpation. Since then we have urged and advised that Newfoundland should use the powers she already possesses to win in the fight confronting us. The people's Government and the people's paper have struck a chord which vibrates to-day in the breast of every patriotic Newfoundlander.

The most exalted and the humblest are fired with a fierce resentment of this tyrannical usurpation of power. Newfoundland to herself is true, and the spirit of resistance which emanates from the letter of his Grace the Archbishop, will strengthen the same proud spirit which animates every patriotic heart. Macaulay, depicting the ideal Romans in Rome's quarrel as a united band of fighters, says:—

> "Then none was for a party;
> Then all were for the State."

His Grace's words call upon his countrymen for a similar unity in Newfoundland's quarrel. His Grace's exhortation is timely and apt, and is as follows:

"This is not a political or party question. It is a great historical crisis in our country, and every Newfoundlander, whether native or resident, should rally without distinction of creed, class, or party, around the Government in this great contest."

October 11, 1906.

"As to the threat that the Colony will carry out the provisions of the 'Foreign Fishing-Vessels Act of 1905,' that Agreement stipulates that the Act shall not be enforced."

We take the above from the "Daily News" despatch of to-day, and it shows clearly that the Imperial Government is in a fix. So far they have not disallowed the 1905 Act, but they have signed a *modus vivendi* agreeing that part of the Act of 1905 shall not be enforced and that the Act of 1906 shall not be assented to. They are in this fix—they have no power of suspending part of the Act of 1905, they can only disallow the whole Act, and that they have not yet done. The Imperial authorities have the power of suspending an Act not two years old; they have, however, not disallowed the Act, and until they do, the Newfoundland Government have the power to enforce it. Had they assented to the Act of 1906, certain parts of the 1905 Act to which objection has been made would have been amended by the force of that Act. But they have not assented to the 1906 Act, and the Act of 1905 is enforceable till they disallow it. We hope that the Newfoundland Government will refuse absolutely to be a party to the enforcement of the *modus vivendi* and fight it by every constitutional means at their disposal. It is a monstrous assumption of power by the officials of Downing Street to affect to interfere with laws for the government of our own people within our own jurisdiction, and to do this at the instance and for the benefit of the Gloucester fishing industry. The Treaty of 1818 confers on the inhabitants of the United States to take, dry, and cure fish in certain places, but it does not give them the right to those commercial relations with regard to the fishery conferred on them by this *modus vivendi*, relations which are in addition to what they hold under the 1818 Treaty, and in direct contravention to the Bait Act. These diplomats have affected to give rights to the inhabitants of the United States which are a direct violation of our Statute law and the Statute law of the Empire, and are a gross outrage on the right of Newfoundland to pass laws within its own jurisdiction over its own people. His Grace Archbishop Howley has spoken with no uncertain sound about this invasion of our right of self-government, and patriotically urges upon all Newfoundlanders to rally, regardless of class or creed, around the Government. A few months ago the Little Englanders of Downing Street attempted an invasion of Natal's right of self-government, Natal resented the interference, and maintained its rights and privileges. To-day Newfoundland's right of self-government is tampered with. Has Newfoundland less grit than Natal? We believe not. We believe that Newfoundland will win the day, just as Natal did.

October 12, 1906.

There are some extraordinary and exceptional features in the *modus vivendi* just arranged which merit the severest condemnation. There is the Agreement to allow American fishermen to use purse-seines in the Treaty water and the Agreement to permit American fishermen to hire Newfoundland help outside the three-mile limit. Although these are the two dominant features of the *modus vivendi*, we propose to present six features which strike us as extraordinary and to examine them seriatim. These features are as follows:—

1. The attempted grant to the inhabitants of the United States rights additional to those agreed to by the Convention of 1818.
2. The attempted surrender of our right to legislate for the preservation of the herring fishery.
3. The attempted nullification of our laws for the preservation of the herring fishery.
4. The Agreement not to enforce part of "The Foreign Fishing-Vessels Act, 1905," and not to assent to "The Foreign Fishing-Vessels Act, 1906."
5. The attempted violation of the provisions of the Bait Act by the *modus vivendi*.
6. The difficulty of carrying out the *modus vivendi* against the law of the land, the wishes of the Government, and the sentiment of the Colony.

We propose to review these features coolly, calmly, and dispassionately, and without the excitement and heat which the situation naturally provokes.

Firstly. With regard to the attempt to grant additional rights to American fishermen: The Convention of 1818 gave to the inhabitants of the United States the liberty to take, dry, and cure fish in certain places; but it did not give them the right to employ the fishermen of Newfoundland to take fish. This latter right is attempted to be given to them by this present *modus vivendi*.

Secondly. With regard to the attempted surrender of our right to legislate for the preservation of the herring fishery: The *modus vivendi* agrees to the use of purse-seines by (1) American fishermen and (2) by the Newfoundland fishermen the Americans employ. This is a most extraordinary surrender of a fundamental State right of Newfoundland. It is a surrender in express terms of our right to legislate for the preservation of our fishery, and a most grave invasion of our right to preserve that fishery intact for this and future generations.

One of the rules laid down by Hall in his "Treatise on International Law" is that Treaties must be interpreted "so as to give due effect to the fundamental legal rights of a State." The Convention of 1818, then, must be interpreted so as to give effect to our legal rights. But the present *modus vivendi*, by express language, shows the clear intention of Great Britain contracting itself out of this right, and therefore of our right to legislate for the preservation of our fishery, for it is admitted generally that purse-seines are most detrimental to the continued existence of this fishery. This *modus vivendi* is therefore a surrender of one of our fundamental State rights, a limitation of our right of self-government, and a conferring of an additional right on the inhabitants of the United States. We invite our readers to peruse carefully the following extract from Hall on international law, which substantiates our position:—

"Whenever, or in so far as, a State does not contract itself out of its fundamental legal rights by express language a Treaty must be so construed as to give effect to those rights. Thus, for example, no Treaty can be taken to restrict by implication the exercise of rights of sovereignty or property or self-preservation. Any restriction of such rights must be effected in a clear and distinct manner. A case illustrative of this rule is afforded by a recent dispute between Great Britain and the United States. By the Treaty of Washington of 1871 it was provided that the inhabitants of the United States should have liberty, in common with the subjects of Great Britain, to take fish upon the Atlantic coasts of British North America. Subsequently to the conclusion of the Treaty the Legislature of Newfoundland passed laws with the object of preserving the fish off the shores of the Colony; a close time was instituted, a minimum size of mesh was prescribed for nets, and a certain mode of using the seine was prohibited. . . . . It was argued by the United States that the fishery rights conceded by the Treaty were absolute, and were to be exercised wholly free from the restraints and Regulations of the Statutes of Newfoundland now set up as authority over our fishermen, and from any other Regulations of fishing now in force or that may be enacted by that Government; in other words, it was contended that the simple grant to foreign subjects of the right to enjoy certain national property in common with the subjects of the State carries with it by implication an entire surrender, in so far as the property in question is concerned, of one of the highest rights of sovereignty, viz., the right of legislation. That the American Government should have put forward the claim is scarcely intelligible."

The *modus vivendi* is therefore, while it exists, a surrender for the future of one of the supreme State rights of Newfoundland, viz., the right to legislate for the preservation of the fishery so far as it affects Americans.

Thirdly. This brings us to a most grave constitutional question, viz., the attempted nullification of our laws for the preservation of the herring fishery, *i.e.*, the attempt to nullify our regulation against purse-seine fishing. Our contention is that the *modus vivendi*, so far as it affects the existing rules and Regulations made in conformity with legal powers and having the effect of Statutes, cannot be enforced.

Sir William R. Anson, in his "Law and Custom of the Constitution," says that: "Where a Treaty involves either a charge on the people or a change in the law of the land it may be made, but cannot be carried into effect without the sanction of Parliament." We contend therefore that the *modus vivendi* with regard to purse-seining cannot be carried into effect without a change in the law made by the constituted authority; and we take it as undoubted that that will be refused absolutely by the local authority, and that the Imperial Government will be forced, should they persist in their intention of carrying out the *modus vivendi* to appeal to the British Parliament to pass laws over-riding our own Colonial laws.

Fourthly. The Agreement in the *modus vivendi* of not enforcing a part of the Foreign Fishing-Vessels Act of 1905: This can only be done by a disallowance of the Act, and until the Imperial Government do so, it is valid. They have the right to do so within two years of the passing of the Act. But this would be a most arbitrary proceeding.

The same general criticism may be made on the Agreement in the *modus vivendi* of not giving assent to the amending Act of 1906. But in this case the position is more arbitrary, inasmuch as there is power given to suspend any section of the Act, and therefore the parts directly affecting American vessels may be suspended while the rest of the Act could be allowed to be enforced.

Fifthly. The clear conflict between the *modus vivendi* and the Bait Act: We contend that any assistance in obtaining herring, given to the American fishermen by Newfoundlanders within the three-mile limit, is a violation of the Bait Act; and that such services contemplated by the *modus vivendi* are illegal until the Bait Act is repealed, and that the *modus vivendi* in this particular cannot be enforced legally without a suspension of the Bait Act by the Governor in Council or by further legislation repealing the Bait Act.

Sixthly. The difficulty of enforcing the *modus vivendi* in face of this conflict with the law, against the wishes of the Government, and against the sentiment of Newfoundland.

Some remarks of Dicey in his lectures on the Constitution are much to the point, and as such we quote them:—

"The Legislature of a self-governing Colony is free to determine whether or not to pass laws necessary for giving effect to a Treaty entered into between the Imperial Government and a foreign Power; and, further, that there might in practice be great difficulty in enforcing within the limits of a Colony the terms of a Treaty . . . . to which colonial sentiment was opposed."

We firmly believe the Downing Street authorities are in a fix in this matter, and that if

Newfoundland be but true to herself she will emerge from this struggle as gloriously as the patriots of 1857.

October 13, 1906.

As guardians of our children's heritage, we are in honour bound to use the whole force of our manhood to maintain intact the rights our fathers won by their patriotism in days of stress and difficulty. What they won we must hold. What they handed down to us we must hand down to our children whole and unsullied. "This Newfoundland of Ours" is a splendid heritage, to preserve which we must strain every nerve, exercise every wit, and use the whole of the constitutional resources at our disposal. Danger of the gravest kind is threatening us this very day. To-day we are being sacrificed on the altar of international expediency, and for American good-will. Newfoundland is the victim. Downing Street bureaucrats hold the knife aloft; and American fishermen are greedily awaiting the spoils. Shall we, the sons of fathers who have won our rights, submit tamely? Shall we lie down supinely and take the blow? Or shall we rally as one man, and with one united voice inform the Downing Street bureaucrats that we will resist their *modus vivendi* by every constitutional means at our disposal? National honour demands that we do not surrender one tittle of our rights to American fishermen. National honour demands that we abide by the Treaty of 1818; but national honour demands that we resist the liberties attempted to be conferred on American fishermen by this *modus vivendi* as illegal and unconstitutional. Purse-seining in our waters by Americans is illegal, and the *modus vivendi* cannot of itself make it legal. The use of purse-seines by Newfoundlanders working for Americans within the three-mile limit is illegal, and the *modus vivendi* cannot of itself make it legal. Assisting Americans to take herring for exportation without a licence is illegal, and the *modus vivendi* cannot of itself make it legal. National honour demands that we maintain the supremacy of the law and disregard absolutely the *modus vivendi*, as lacking legal sanction, and as unenforceable on account of its conflict with the law. We call upon the Government to refuse in no uncertain voice to act illegally and unconstitutionally at the instance of Downing Street dictators. We call upon the Government to resist the enforcement of the *modus vivendi* by every constitutional means at their disposal, as an Agreement in conflict with the laws which the legislators of this Colony will refuse to change under any conditions. Newfoundland cannot violate her own laws; Newfoundland cannot infringe upon her own rights of legislation; Newfoundland cannot assist in her own degradation; Newfoundland cannot assist in an illegal enforcement of the *modus vivendi;* Newfoundland cannot countenance an enforcement of the *modus vivendi* which outrages her right to legislate for the preservation of her fishery; Newfoundland cannot be a party to a breach of laws such as the *modus vivendi* contemplates; Newfoundland can carry out the 1818 Treaty; but she cannot honourably carry out the present *modus vivendi;* Newfoundland cannot in honour degrade herself by enforcing a *modus vivendi* which outrages her Constitution and whittles away her rights, and which has been signed against her protests and in opposition to her wishes; but Newfoundland can resist its enforcement; Newfoundland can sink party bickering; Newfoundland can present a united phalanx of resisters to the despoilers of Downing Street; Newfoundland can call upon every Newfoundlander to do his duty and to see that the law of the land is supreme in King Edward's dominion, and not an arbitrary agreement of Downing Street bureaucrats. Every such outrage committed on the Constitution of Newfoundland is an assault on the principle of Colonial Government. Such an outrage on the oldest Colony naturally provokes the hostile criticism in the British press we publish in to-day's despatch. How different it was two years ago, when King Edward succeeded in bringing about an adjustment of French difficulties! To-day the Little Englanders are trying to diminish our Colonial rights, are flouting our laws, invading our Constitution, and outraging our feelings. King Edward increased our rights, respected our institutions and placated our feelings, and pleased our national pride. God save the King! God bless him!

October 15, 1906.

The heart of every Newfoundlander is beating true. To-day it is throbbing with patriotic fervour for native rights. Indignation at the base surrender of Colonial rights is welling up in every manly breast, and the sentiment of "No Surrender" is animating every heart, and influencing every true man to back up the champions of his country's rights. Foul aspersions are to-day being cast upon the honour of Newfoundland. It is maliciously asserted that an attempt is being made by Newfoundland to depreciate the 1818 Treaty rights of America.

This is a wicked fabrication circulated in Great Britain and abroad to damage our cause, and to besmirch our reputation. Not only are our enemies robbing us of our material rights, but their apologists are besmirching our fair fame. Newfoundland has made no attack on the Treaty rights of the inhabitants of the United States in our waters. Newfoundland will honourably observe to the full these Treaty rights. But Newfoundland will not submit to any extension whatever of these rights by the present *modus vivendi.* Newfoundland will not remain quiet while her territorial and maritime rights are ceded without her consent.

Newfoundland will maintain her right as the colonial partner of the Sovereign Power to make laws for the preservation of her fishery. Newfoundland will use every constitutional means to vindicate her own laws. Newfoundland will fight against the concession of her rights by every constitutional weapon she can furbish up. Newfoundland will not tamely submit to a violation of her Magna Charta by this *modus vivendi.* Fifty years ago our fathers won the Charter of our colonial liberties. Our territorial and maritime rights were not to be conceded without our consent being first given by our Legislature. Let Newfoundlanders read over her Magna Charta again. Here it is:

"*Downing Street, March* 26, 1857.

"When Her Majesty's Government entered into the Convention with France, they did so with the full intention of adhering to two principles, viz.:—'That the rights at present enjoyed by the community of Newfoundland are not to be ceded or exchanged without their consent, and that the constitutional mode of submitting measures for that assent is by laying them before the Colonial Legislature. . . . . The proposals contained in the Convention having been now unequivocally refused by the Colony they will of course fall to the ground, and you (the Governor) are authorized to give such assurance as you may think proper, that the consent of the community of Newfoundland is regarded by Her Majesty's Government as the essential preliminary to any modification of their territorial or maritime rights.'"

The present *modus vivendi* without the assent of our Legislature:

1. Affects to give rights which Americans do not enjoy by the 1818 Treaty.
2. Affects to surrender our right to legislate for the preservation of our fishery.
3. Affects to suspend our laws for the preservation of our fishery.

It is a gross violation of colonial rights which should be resisted to the utmost. Our Premier and his Executive have been strenuously fighting this battle for the past six months. Now's the day and now's the hour for every true Newfoundlander to rally round them for the defence of their constitutional rights. When the Imperial authorities see fit to publish the correspondence we shall then know in detail the fight they have already put. At present we are waiting patiently for the Imperial authorities to give us the full and exact text of the *modus vivendi*, for then, and not till then, shall we know the full extent of the Great Betrayal. Meanwhile we know enough to call upon every patriotic Newfoundlander to do his duty and stand by our Magna Charta.

Enclosure 2 in No. 6.

Extracts from "THE WESTERN STAR" of October 3 and 10, 1906.

October 3, 1906.

The herring fishery season is rapidly approaching, and the atmosphere in this locality is rife with quandary.

The local fishermen, numbering about 800, who in the past obtained employment on the American vessels, are this year in doubt as to their ability to provide for themselves and families on account of the passing of an Act in the last General Assembly, the provisions of which are manifestly intended to prohibit American vessels from procuring Newfoundland fishermen for their crews. The passing of this Act will affect about 3,000 Newfoundlanders directly, and as many more in an indirect way to a greater or lesser extent.

The enactment of the Act above referred to is only another deplorable exemplification of Robert Bond's reckless disregard for the welfare of the inhabitants of the Colony which he so faultily represents, his permitting the spirit of retaliation ,which prompted the passage of the Act, to override his consideration of the fishermen and their families, who must necessarily suffer many privations as a consequence, is thoroughly demonstrative of the abject selfishness in his make-up. To satisfy his personal feelings he has taken the bread out of the mouths of an ample percentage of his own people, they who have been largely instrumental in placing him where he is, and whom he has promised on oath to protect.

A few short years ago, when our fishermen were allowed to serve on foreign vessels, over 100,000 dollars were distributed among them as a result of their labour, last year the amount dwindled down to one-half that figure, with the prospect of this year's decline being proportionately greater, owing to stupid management of our affairs and mad legislation.

What will compensate the fishermen about Bay St. George, Bonne Bay, and Bay of Islands for the suffering of their families, whose welfare was so ignominiously ignored? The pangs of hunger are dreadful beyond description. Who shall stay the hand of poverty from dealing unkindly with the families of those fishermen who will be deprived of their yearly competence?

A correspondent asks: Where is the man who in the past has been our supporter—Mr. M. P. Gibbs? Can he not come to the rescue in this our time of great need to give to the fishermen the legal advice they so much require upon the question of their personal rights under this new Act? Sir Robert Bond has proven faithless and worked a great hardship upon our fishermen and their families. Will Mr. Gibbs also forsake them? It is the consensus of opinion here that he will uphold the reputation he has acquired as the friend of the labourer, and will come to Bay of Islands and vicinity to give the needed legal assistance to those who have given him their friendship and support in the past. By doing this he will be performing a most charitable service, and earn for himself the undying gratitude of all the people along our shores.

October 10, 1906.

It is obvious, from the tenour of the articles appearing in the "Evening Telegram," that Sir Robert Bond is exhausting his limited ability in an endeavour to bolster up his freak of legislation. He is shrieking himself hoarse, plays a heroicomic part, and, with characteristic dastardly shamelessness, attempts by specious statements and false assurances to offset popular disapproval of his harum-scarum policy. What is this policy? To rob the people of the west coast, and the Colony as a whole, of the wealth of the sea in order that his vengeance with the American people who rejected his reciprocity Treaty proposals might be appeased. That is the policy of our Premier. Small consideration does the vain, bombastic Premier give to the brawn and muscle of Bay of Islands, Bonne Bay, St. George's, and Placentia, and the whole west coast; his own vindictiveness must be satisfied—to Hades with the fishermen! But the people are wrathy and refuse to submit to the Premier's mad policy, which might ultimately lead to serious results and international complications. The people's voice may be temporarily quieted, but it is as clear as day and unmistakably sure that *vox populi* ultimately conquers, and the sooner Sir Robert Bond settles down to this conviction the better. And Sir Robert must realize there is wide-spread determination among the west coast fishermen that the Americans will not be allowed to use purse-seines; any attempt to do so will be met with the resistance of an outraged people. Bond's policy will cost the Colony dear if persisted in; and His Excellency the Governor should be invited by the people to suspend the operation of the Act relating to foreign fishing-vessels, and then remove from office the stupid, vain, farcical, reckless blunderer who dared to outrage a quiet, industrious, loyal people.

We are indebted to our courteous friend, the editor of the "Evening Telegram," for the marked attention bestowed upon our humble efforts to place the Premier in the proper light before the people of the west coast. The search-light of truth has been thrown upon the Premier's policy, and it has been revealed that this policy is being nurtured as it was conceived, with the one idea of appeasing the Premier's wrath with the American Senate. The "Telegram" dislikes our attitude, but it must surely understand that our first duty is to the people of the west coast. We have supported the Government when it has done the square thing by our people. We wish it clearly understood that our Premier's present policy is too disastrous and crazy a policy to be borne by this people; and it is not surprising, therefore, to find the whole populace aflame with indignation. And must we then stand idly by and see the people's rights sacrificed? Not at all, friend "Telegram"; just as you have disapproved of Bond's notorious land deal in Trinity Bay, so we, perhaps more boldly, resent his mad policy of ruination of the west coast fishermen. And let the "Telegram" and our Premier make note of this fact; nothing will be left undone to expose the shameless unrighteousness of the Premier's untoward and unstatesmanlike policy of ruining the fishermen and robbing them of the comforts and freedom they so long enjoyed. Sir Robert Bond has fooled this people for a long time, but he will realize that he cannot fool them all, all the time.

We read with increasing interest the "Daily News'" fearless and commendable criticism of the reckless, blundering *non compos mentis* policy pursued by Premier Bond, and we cannot refrain from expressing our admiration of the attitude and character of the "News" in thus presenting to the people a straightforward summary of our unworthy Premier's shameless exhibition of wanton disregard for the welfare and good of the people he represents, and the country of his birth. "He who runs may read" is a time-worn adage, and is applicable to the present situation. What the "Daily News" has printed are recognized facts. The Premier's incapacity is now proverbial, and how long the people are going to be compelled to carry the yoke of his decrepit guidance is a question of moment. There should be an end to their martyrdom. They have already been held too long in bondage. Who shall be their emancipator?

The fishermen in this vicinity are experiencing considerable hardship as a result of his foolhardy administration. To satisfy his revengeful appetite, whetted to an edge by the rebuff handed him by the American Senate in regard to his reciprocity Treaty, he has, in a conscienceless manner sacrificed the comfort and good of the fishermen in robbing them of employment on American vessels during the herring season. Not only has he done this, but more: the rebuke he sought to administer to the American Government, out of a desire for retaliation, proved to the Americans a boomerang, and an unfortunate catastrophe to our fishermen, the effects from which they will never recover.

In another issue we made reference to the fishermen's rights under the new Act prohibiting them from registering with American crews. The fishermen in this vicinity are in a quandary as to what their rights are under this new law, and they have been expecting a visit from Mr. Gibbs, who has heretofore proved their friend. We are of the impression that Mr. Gibbs will not forsake them in their trouble, as the Premier has ruthlessly done, but that he will put in an appearance to give his supporters and friends in this district the benefit of his advice in their hour of need, and further endear himself to the hearts and homes of our distressed fishermen, who must offer their blessings to the Premier for their present misfortune.

Enclosure 3 in No. 6.

Extract from the "Montreal Star."

Honourable A. B. Morine, former leader of the Newfoundland Opposition, was seen at his residence here to-day by the "Montreal Star" representative and asked for an expression of his views regarding the *modus vivendi* just agreed upon between the British and United States Governments. Mr. Morine said:—

"The use of purse-seines is bound to be injurious to the fisheries, and if, in addition, Newfoundlanders can be employed by Americans to use these seines, it will have the effect of destroying the Colony's legislation long in force against the use of such seines. Therefore, even the concession of their use under the *modus vivendi* for one year is regrettable, and likely to be followed by bad results.

"*West Coast Ports.*

"To understand the situation, it must be remembered that in ports on the west coast of Newfoundland, Americans have the right under the Treaty of 1818 to catch fish of all kinds.

It has heretofore been the practice for the Newfoundlanders to engage in the fall and winter fishing for herring, and then sell their catch to the Americans at the price of 1 dol. 25 c. per barrel, as fixed by a Regulation of the Colonial Legislature.

"This fall and winter fishery should be distinguished from the ordinary taking of herring for bait, because pursued at a different season, and the catch goes into food consumption.

"This fall and winter fishery was naturally very profitable to the Newfoundlanders, but it was interfered with last autumn by the Colonial Government, an action protested against by the Newfoundlanders interested. The reason for this interference was the bringing of pressure to bear on the United States' Congress, because of its rejection of the Bond-Hay Convention. That rejection had greatly annoyed the Premier, Sir Robert Bond, and his interference with the herring fishery of the west coast was due apparently more to a desire for retaliation than to any good reasons of State.

"*Adopted Purse-Seines.*

"Personally, I opposed that legislation on the grounds that such interference would drive the American fishermen to the use of purse-seines and other methods which they now threaten to adopt. When the American fishermen came last fall, they found great difficulty in obtaining their supply of herring, because having always relied on the Newfoundlanders, they lacked the necessary fishing equipment. They were thus forced to adopt purse-seines and power launches, when they would probably prefer to go back to the old way of purchasing from the Newfoundland fishermen.

"The Americans claim that their rights of fishery, under Treaty of 1818, may be carried on in any manner, and that they are justified in the use of purse-seines. They contend that they are not liable to interference by any Regulation of the Colonial Government passed since 1818, on the ground that the Colonial Legislature has authority only over its own people and not over citizens of a foreign country enjoying Treaty rights. Therefore, the legislation of the Colonial House on the one side, and the claims of the Americans on the other side, placed the British Government in an extremely awkward position.

"It is understood that negotiations between the two Governments have been going on for a year, and I gather from the Newfoundland newspapers that they were being carried on with the full knowledge and consent of the Colonial Government.

"*Was Government Consulted?*

"When the British Government came to the point that it must either fall out with the United States' Government or abandon the Colonial legislation, it is probable that they asked the Colonial Government to withdraw from its attitude on the question. To over-ride the legislation of the Colony without giving the Government an opportunity to state its views or make modifications, would be an outrage. I cannot conceive it possible that such an outrage has been committed. Reading between the lines, I am forced to the conclusion that the Government of Newfoundland was consulted, that it refused positively to modify its course, and that the British Government was thus forced to either make a *modus vivendi* with the United States' Government or to quarrel with that Government.

"In my opinion, the *modus vivendi* will afford opportunity for a better solution of the difficulty than could otherwise be the case. The mere fact of making it is not objectionable, provided it was not made without due time for consideration by the Colonial Government.

"Personally, I consider the whole difficulty to have arisen through the Government's unnecessary, and, I think, unwarrantable interference with conditions long in vogue in carrying on the fall and winter fishing. I am in entire accord with the policy of preventing Americans obtaining bait fishing of any kind in those portions of the waters of Newfoundland, if they have no Treaty rights. But this has nothing to do with the fisheries concerned in the *modus vivendi.*

"It should be borne in mind that if the present Government of Newfoundland found itself in a position where it had to abandon a policy which it had deliberately taken up and exploited, there are political reasons why it should prefer to have the abandonment apparently forced upon it by the British Government rather than voluntarily back down. I don't think any hasty expressions of anger at the British Government are justified at present. I am prepared to suspend judgment till I know to what extent the Colonial Government was apprised in advance of the intentions of the British Government."

Toronto, October 10, 1906.

No. 7.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10.25 p.m., October 26, 1906.)

TELEGRAM.

[*Answered by No.* 8.]

I am requested by Ministers' minute transmit the following message:—

With reference to your telegram of 23rd instant,* my responsible advisers desire to say that in the opinion which they have expressed respecting the subversion of constitutional rights and over-riding of colonial statutes they are supported by the opinion of the Minister of Justice and of learned counsel of high standing in England, and they propose, in accordance with the advice of said counsel, to test the question as to whether the *modus vivendi* can over-ride existing legislation of the Colony by taking legal proceedings against colonial fishermen who have engaged themselves and proceeded in violation of the law to prosecute the herring fishery.

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* No. 2.

I have endeavoured to ascertain reference to law under which it is intended to proceed, and shall inform you.—MacGregor.

No. 8.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 7.40 p.m., October 27, 1906.)

Telegram.

[*Answered by No.* 11.]

Your telegram of 26th October.* I shall be glad to have information promised as soon as possible; also to learn substance of opinions referred to, and data on which they were based.

In the meantime please report to what extent provisions of Bait Act making it illegal to haul, catch or take bait fishes for exportation without licence are actually enforced on Colonial fishermen, how many such licences have been granted to Colonial fishermen this year, and whether there have been any prosecutions this year of Colonial fishermen for taking bait fishes for exportation without licence, and if so, how many?—Elgin.

No. 9.

House of Commons, October 29, 1906.

Sir JOHN RANDLES asked the Under-Secretary of State for the Colonies whether any, and, if so, what, steps were taken to insure that the Government of Newfoundland should be informed as to the terms of the *modus vivendi* with the United States of America recently concluded prior to their acceptance; and on what date the first information of a definite character was conveyed to the Colony from the Colonial Office or other official sources.

Mr. CHURCHILL, in reply, said,—"The decision of His Majesty's Government that a *modus vivendi* was necessary and their intention to make proposals to the United States Government for such an arrangement were communicated to the Colonial Government by telegram some days before the United States Government were informed. In the same telegram the Colonial Government were asked to give their views as to the form which the *modus vivendi* should take. No proposals were actually made to the United States Government until the reply of the Colonial Government had been received. Throughout the negotiations the Colonial Government were kept fully and promptly apprised by telegram; and His Majesty's Government answered no communication from the United States Government without first consulting the Colonial Government and endeavouring to obtain their concurrence. The note from the United States Ambassador ratifying the arrangement embodied in the previous correspondence was telegraphed verbatim to the Government on the same date as it was written and received, viz., the 6th instant."

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* No. 7.

No. 10.

House of Commons, October 30, 1906.

Mr. ASHLEY asked the Secretary of State for Foreign Affairs, whether it was not usual to obtain the adherence of a self-governing Colony to any agreement with a Foreign Power before applying the provisions of that agreement to that Colony; and, if so, on what grounds this practice was departed from in the case of the Newfoundland fisheries.

Mr. CHURCHILL, in reply, said,—"The agreement to which I understand the honourable Member to refer is a temporary arrangement intended to avoid the occurrence of untoward incidents during a discussion which has become necessary in consequence of action which the Colonial Government has taken in spite of the representations of His Majesty's Government. The usual course has been followed in regard to this temporary agreement of consulting the Colonial Government at every step: but the ultimate responsibility for the action taken by Great Britain in order to give effect to her treaty engagements with foreign Powers necessarily rests upon His Majesty's Government. My honourable friend will discover in the action of Lord Salisbury's Government in 1890 in the matter of the *modus vivendi* with France respecting the Newfoundland lobster fishery, should he find the time to examine it, ample and conclusive precedent for the course adopted."

No. 11.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.20 a.m., November 1, 1906.)

Telegram.

Referring to your telegram of 27th October,* Ministers request me to send you following message:—

> Bait Act has been rigidly carried out throughout Colony. No licences have been issued this year to local fishermen to allow them furnish foreigners with bait, nor have any such licences issued in case of the French since 1887 or in case of Americans since 1904, but last year, in deference to desire of His Majesty's Government that this Government should abstain during last season from any action likely to cause friction between the United States fishermen and British subjects no prosecutions were instituted against those who violated Bait Act by engaging themselves to Americans to catch bait fishes or who sold to Americans. Twenty Colonial fishermen have been prosecuted this year for taking bait fishes for exportation without licence.

Am informed by Prime Minister that English counsel intimates that proceedings may be taken under Cap. 129, Consolidated Statutes, of 1892, or under the Marine and Fisheries Act, 1898.—Macgregor.

No. 12.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 6.45 p.m., November 1, 1906.)

Telegram.

[*Answered by No.* 13.]

Reuter's telegram from St. John's, dated 31st October, appears in to-day's newspapers. It states that official notice has been issued enforcing Bait Act, and that

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* No. 8.

Colonial Government intend to prosecute one or more Colonial fishermen who have been shipped by Americans outside the three-mile limit after they have been paid off from the American vessels. You are no doubt reporting fully.—ELGIN.

No. 13.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8 a.m., November 3, 1906.)

TELEGRAM.

Referring to your telegram of 1st November,* I have had letter from Prime Minister to the following effect:—

> Ministry disclaim all responsibility for Reuter's Press telegrams with reference to public business this Colony, which they regard as being very often misleading, embarrassing, and malicious. Bait Act has been in force nearly 20 years and it is being very strictly carried out, and, therefore, official notice not required and no such notice has been published. In view of persistent violation of the law Department of Minister of Marine and Fisheries drew attention, by official notification in public Press, to first and ninth sections of Bait Act for general information. Reuter's Press telegrams very probably refer to decision of Ministers communicated to your Lordship in my telegram of 26th October,† but Prime Minister does not know how that decision known Reuter.

MACGREGOR.

No. 14.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9 a.m., November 4, 1906.)

TELEGRAM.

[*Answered by No.* 19.]

Minister of Justice has prepared instruction for Inspector, Bay of Islands:—

> *Instruction begins:* Government has decided on enforcement of provisions of Bait Act during the present herring fishing Bay of Islands. Government has been advised by me that Bait Act is not in any way superseded by terms of *modus vivendi* entered into between His Majesty's Government and the Government of the United States of America. I am desired to request that you will take action immediately against any one of our fishermen who has violated Bait Act. I have instructed Counsel proceed to Bay of Islands and he will advise you as to proper form of summons, &c. Until Counsel arrives you can consider most convenient way to effect service of process on the party whom you may elect as the defendant in the case. *Instruction ends.*

I have requested that instruction may be withheld till 7th November.—MACGREGOR.

No. 15.

HOUSE OF COMMONS, November 5, 1906.

SIR GILBERT PARKER asked the Prime Minister whether the Government was aware of the feeling existing in the Government and among the people of

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* No. 12.

† No. 7.

Newfoundland due to the late agreement made with the United States in relation to the fisheries; and whether the correspondence between this Government and that of Newfoundland would be laid upon the Table at the earliest moment, and whether this Government was aware that the Newfoundland Government had decided to test the validity of the *modus vivendi*, and enforce the Act which forbids the Newfoundlanders to fish on foreign vessels in Colonial waters; and what action the Right Honourable Gentleman proposed to take.

Sir H. CAMPBELL-BANNERMAN, in reply, said,—"The Governor of Newfoundland keeps His Majesty's Government fully informed as to the state of public opinion in the Colony on the fisheries question. The Secretary of State for Foreign Affairs has already promised that the correspondence with the Colonial Government on the subject of the provisional agreement with the United States shall be laid upon the Table, and the preparation of the Papers is being pushed forward with all possible speed. His Majesty's Government are aware that the Newfoundland Government have decided to enforce the Bait Act. I must decline to say whether any, or what, action will be taken."

No. 16.

House of Commons, November 5, 1906.

Mr. ASHLEY asked the Under-Secretary of State for the Colonies, if, in view of the fact that the Order in Council carrying into effect the *modus vivendi* with France of 1890, respecting the Newfoundland lobster fishery, was not issued till the 23rd of June, 1891, and contained a declaration that it was so promulgated under powers vested in Her Majesty by an Act passed by the Legislature of that Colony, he would explain why his Majesty's Government have not followed a similar course in the case of the *modus vivendi* with the United States Government respecting the Newfoundland fisheries.

Mr. CHURCHILL, in reply, said,—"The Honourable Member appears to assume that effect was not given to the *modus vivendi* concluded with France in 1890 until June, 1891. The *modus vivendi* was made only for the season of 1890, and expired at the end of that season. Her late Majesty was bound by it from the date of its conclusion and gave effect to it throughout the season of 1890. Lord Salisbury, however, renewed it for another year in March, 1891. The Colonial Act under which the Order in Council referred to was issued was not passed until it had been made clear to the Colony that in the absence of Colonial legislation an Imperial Act would be passed. Lord Salisbury's Government actually introduced a Bill into Parliament, and it was only withdrawn when the Colony undertook to legislate. The *modus vivendi* was renewed by Lord Salisbury before that undertaking was given. The *modus vivendi* which has been concluded with the United States Government applies only to the present winter herring fishery, which will end about Christmas; the Colonial Legislature will not meet again until after it is over. Without at this moment entering upon legal considerations, I would point out that there would have been no object in concluding the *modus vivendi* at all if effect was not to be given to it until after the end of the fishery to which it was to apply."

No. 17.

House of Commons, November 7, 1906.

Mr. ASHLEY asked the Under-Secretary of State for the Colonies, whether the provisional consent of the Newfoundland Government was obtained in 1890 to the *modus vivendi* with France respecting the Newfoundland lobster fishery, previous to the Act passed by the Colonial Legislature in May, 1891.

Mr. CHURCHILL, in reply, said,—"The Act of 1891 did not refer to the *modus vivendi* of 1890, but to that of 1891, and I have already indicated, in reply to the Honourable Member's question of the 5th instant,* that effect was given by Her late Majesty's Government to the *modus vivendi* of the former year in the absence of any consent on the part of the Newfoundland Government."

No. 18.

ADMIRALTY to COLONIAL OFFICE.

(Received November 9, 1906.)

SIR, Admiralty, November 8, 1906.

I AM commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, copy of a telegram No. 10 which has been sent to-day to the Commanding Officer of His Majesty's Ship "Brilliant," together with copy of a letter, dated 24th October, which has been received from that Officer, relative to the state of affairs in the Bay of Islands in connection with the autumn herring fishery.

The Foreign Office has been informed.

I am, &c.,
C. I. THOMAS.

Enclosure 1 in No. 18.

To COMMANDING OFFICER, H.M.S. "Brilliant."

(Dated November 8, 1906.)

TELEGRAM.

No. 10. Your telegram 35 and letter 65. Keep Admiralty and Governor Newfoundland informed with regard to any action you may take or consider desirable for preservation of peace and order between American and Newfoundland fishermen.

Enclosure 2 in No. 18.

SIR, "Brilliant" at St. John's, October 24, 1906.

I HAVE the honour to make the following report on the present state of affairs in the Bay of Islands.

2. On 19th October I arrived and anchored in Birchy Cove. Shortly after I had anchored Mr. Levi March, the Local Stipendiary Magistrate, came on board, offering to give me all the information in his power, and I questioned him as to the state of affairs in connection with the herring fishery in the Bay of Islands, and as to the feeling of the local fishermen towards the Americans, a point which I consider to be of the utmost importance. I was informed by Mr. March that he expected there would shortly be trouble on account of the use by the Americans of purse seines which the British fishermen asserted were set in the entrances to the arms of the Bay in such a manner as to prevent the herring from passing up to where the gill nets were moored.

3. I, therefore, deemed it advisable to call a meeting of the most influential fishermen in Birchy Cove (whose names Mr. March gave me) the same evening on board this ship, and to discuss matters with them with the least possible delay, with special reference to the following points:—

(*a*) Views of the meeting on the situation.

(*b*) Views of the meeting on the use of purse seines.

(*c*) Feeling locally towards the Americans.

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* No. 16.

(*d*) Any possible local arrangement which might relieve the tension of the moment, and enable all concerned to have a peaceful and prosperous season.

4. Most of those invited came; fine, stalwart, straightforward-looking men, whom one felt one could depend upon.

5. As a result of the meeting I found that the local fishermen were opposed to a policy of retaliation against Americans, which they maintained tended to deprive them of their principal customers, there being only comparatively few Canadian vessels buying herring in the Bay of Islands, and no other market available.

They were very grateful to the Imperial Government for that portion of the *modus vivendi* which made it permissible for them to ship on board American schooners, as otherwise ruin stared them in the face, with the herring at their very doors. In consequence of this provision a large number of fishermen—40 boats and 120 men—were going outside the three-mile limit at daylight on 20th October to embark in American vessels. They felt aggrieved that they should have to risk their lives by going so far from the land in their light skiffs before they could make a living in their own Bay, but even that was better than starvation. Before the Foreign Fishing Vessels Act of 1905 American schooners were accustomed to embark men and nets in the Bay of Islands, and to pay duty on the nets; this duty was charged against the fishermen; now, they said, as schooners ship nets, &c., outside Newfoundland waters, no duty is paid, and the fishermen embarked are accordingly exempt from the duty tax on their wages. They thought that it would be better to pay the duty rather than go three or four miles out to sea in a dory in October; yet they felt that half a loaf was better than no bread.

The local men have no doubt that the systematic use of purse seines would, in a few years, absolutely ruin the herring fishery in the Bay of Islands, therefore they all strongly object to their use, for, they said, this was the only bay where these seines had never before been used in the autumn herring fishery, and from all the other bays where they had been used, herring had disappeared.

They had no intention of quarrelling with the Americans, but the meeting all strongly insisted that the use of purse seines in the mouth of the arms scared the herring, and prevented them from getting to where the gill nets were set, and were therefore injurious to their interests when used within the Bay.

I suggested that it might be possible to get the Americans to give up the use of purse seines if there were anything we could give them in exchange, or any benefit which would be likely to accrue to the Americans by dispensing with them. The meeting informed me that there were two things which would probably appeal to the Americans, one being the ultimate preservation of the fishery, the other the retention of the goodwill of the local fishermen, with whom they had always been good friends.

The men said it was rumoured that the majority of the American fishing fleet would be prepared to abandon the use of purse seines if they, on their part, were willing to give up hauling their nets by night and also on Sundays. They assured me that they were willing to do so, and that every fishermen in the Bay of Islands was of the same way of thinking.

I thought that here was a basis of possible compromise, not by law or by regulation, but simply by voluntary agreement between the fishermen of the two nations for the sake of peace and good fellowship, which was much more likely to be lasting.

6. Before concluding the meeting I read to them the Note of Ratification of the *modus vivendi* of which they had no knowledge except such as they had gleaned from the newspapers.

7. I then went over to Petipas and saw the leading fishermen there, whose views coincided exactly with those of the Birchy Cove men.

Subsequently I visited the principal Canadians interested in the question, whom I found to be strongly in favour of putting a stop to purse seining, night fishing, and Sunday fishing.

8. After this I felt that I was in a position to come to some arrangement with Mr. Alexander, as the representative of American fishermen. Accordingly I went on board the "Potomac" and we drew up a form of agreement to which he got the assent of all the "Commodores" of the American schooner squadrons except one, who, while favourably inclined, felt bound to communicate with his owners. If they assent the only other difficulty that may arise is in the case of schooners which

may have sailed, but not yet arrived, fitted out with purse seines and manned by full American fishing crews, engaged before the *modus vivendi* was made known.

9. Attached is a copy of the form of agreement which I shall sign on behalf of British, *i.e.*, Newfoundland and Canadian fishermen, and which I hope to get Mr. Alexander to sign on behalf of American fishermen.

I have, &c.,
ROBT H. ANSTRUTHER,
Senior Naval Officer, Newfoundland Fisheries.

The Secretary,
Admiralty.

Birchy Cove, Bay of Islands, Newfoundland,
October 22, 1906.

We, the undersigned, agree that during the present season the following status shall hold in regard to herring fishing.

1. There shall be no fishing from sunset Saturday afternoon until daylight Monday morning. Fishermen are advised to double buoy nets Saturday afternoon to avoid necessity of having to visit nets on Sunday in case of sinking nets.
2. There shall be no fishing between sunset and daybreak.
3. No purse seines shall be used inside the heads of Bay of Islands.

Captain, Royal Navy, Senior Naval Officer, Newfoundland Fisheries. On behalf of British, *i.e.*, Newfoundland and Canadian Fishermen.

On behalf of American fishermen.

No. 19.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 7.5 p.m., November 9, 1906.)

TELEGRAM.

[*Answered by Nos.* 26 *and* 31.]

Your telegram, 3rd November.* As your Ministers are well aware, the *Modus Vivendi* was arranged with a view to the prevention of action which would embitter the discussion proceeding between His Majesty's Government and the Government of the United States as to the proper meaning of the treaty of 1818—a discussion rendered inevitable by the policy of your Ministers.

With full knowledge of these facts your Ministers have deliberately decided to take action which may immeasurably increase the difficulty of the task which Newfoundland has imposed upon Great Britain. In these circumstances I have to inform your Ministers that, in endeavouring to frustrate the purely temporary measures which His Majesty's Government consider most likely to lead to a successful termination of the negotiations with the United States, they incur a grave responsibility which His Majesty's Government decline to share. His Majesty's Government will endeavour in the future, as in the past, to defend the claims of Newfoundland under the treaty of 1818 to the best of their ability, but if the difficulties in their way become increased your Ministers must bear the blame.—ELGIN.

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* No. 14.

No. 20.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 14, 1906.)

MY LORD, Government House, St. John's, October 24, 1906.

I HAVE the honour to forward herewith copy of a petition I have received through Mr. M. P. Gibbs, Mayor of St. John's, formerly a representative in the House of Assembly of the constituency of which Bay of Islands forms a part. This petition purports to be signed by about 90 fishermen, residents of Bay of Islands, and prays "that the *Modus Vivendi* recently entered into between the Government of Great Britain and the Republic of the United States of America respecting the prosecution of the herring fishery in the Bay of Islands by the subjects of the Republic of the United States and the subjects of His Majesty, may be published in the local papers of the Colony."

2. I at once forwarded this petition to my responsible advisers.

It chanced that I was in a position to transmit to my Ministers at the same time:—

(*a*) Your telegram of the 23rd October* in which your Lordship states that it is now too late to attempt to withdraw from the arrangement, and expresses the hope that my Ministers will do all that lies in their power to give effect to the *Modus Vivendi*.

(*b*) Your despatch of the 10th instant,† covering copy of the note of the 6th October of the United States Ambassador, and Mr. Gorst's reply thereto of the 8th instant.‡ These papers, it will be seen, make the whole question as to the text and definitiveness of the *Modus Vivendi* perfectly clear. I have at the same time informed my Ministers that your Lordship sees no objection to the *Modus Vivendi* being made public.

3. I am not able to speak as to the position and character of those that signed the petition, but I have no reason to doubt that they are, as represented to be, fishermen and residents of Bay of Islands.

4. The advice I may receive from my Ministers will be promptly communicated to your Lordship.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 20.

To His Excellency Sir WILLIAM MACGREGOR, K.C.M.G., Governor in and over the Island of Newfoundland and its Dependencies.

The petition of the undersigned humbly showeth as follows:—

1. Your petitioners are residents of Bay of Islands.

2. The principal and practically the only industry which your petitioners have to depend upon for a livelihood is the herring industry, which is prosecuted by them in the Bay of Islands during the spring and fall seasons of the year.

3. Your petitioners have got to depend solely upon the subjects of the Republic of the United States for the sale of the herrings caught by them.

4. Your petitioners have learned from despatches which have appeared in the public press that a *Modus Vivendi* respecting the prosecution of the herring industry at Bay of Islands by subjects of the Republic of the United States and His Majesty's subjects in this Colony, has been entered into between the Imperial Government and the Government of the Republic of the United States. Conflicting reports have appeared and are appearing in the public press in relation to the terms and conditions of the Treaty, and, in consequence, your petitioners are in doubt as to their rights and obligations under the said *Modus Vivendi*.

5. In consequence of the non-publication of the full text of the *Modus Vivendi* in the local press, your petitioners do not know what their rights and obligations

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* No. 2.

† Not printed. It merely forwarded Nos. 41 and 44 in [Cd. 3262].

‡ Nos. 41 and 44 in [Cd. 3262]

are under the new arrangement. Herrings have already "struck in" in the Bay of Islands, but your petitioners are forced to leave their nets on shore and their boats moored and, in consequence, distress and privation in their homes must ensue. Subjects of the United States of America are in the Bay of Islands prepared to carry on the herring industry in conjunction with your petitioners as it has been conducted for years (with the exception of the season of 1905) which has in the past resulted in mutual profit and advantage to both.

6. The legislation passed by the Parliament of this country in 1905 makes it an offence to enter into contracts and engagements of any kind with subjects of the United States for the prosecution of the herring fishery or the sale of herrings to them. Under the new arrangement entered into, according to despatches which have appeared in the public press, the legislation enacted has been suspended and amendments respecting the rights and duties of His Majesty's subjects and the subjects of the Republic of the United States, have been made.

7. Your petitioners would most respectfully submit that the full text of the Treaty ought to be made public—

(*a*) In the interest of law and order, and
(*b*) To enable your petitioners to learn what their rights and obligations are under the existing *Modus Vivendi*, and thus prevent them from unknowingly transgressing the law.

Your petitioners therefore pray that Your Excellency may be pleased to order that the *Modus Vivendi* recently entered into between the Government of Great Britain and the Republic of the United States of America respecting the prosecution of the herring fishery in the Bay of Islands by the subjects of the Republic of the United States and the subjects of His Majesty, may be published in the local newspapers of the Colony;

And, as in duty bound, will ever pray.

Dated this 20th day of October, A.D. 1906.

J. HAYSE
(and 88 others).

No. 21.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 14, 1906.)

MY LORD, Government House, St. John's, October 25, 1906.

WITH reference to my despatch of yesterday's date,* having reference to a petition addressed to me by residents of the Bay of Islands, I have the honour to inform your Lordship that I have been advised by my Ministers to inform the petitioners that the text of the *Modus Vivendi* was published substantially correct in the issues of the 22nd instant of the "Evening Telegram and Herald" of St. John's. Copies of the publication referred to are enclosed herewith.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 21.

The "EVENING TELEGRAM," St. John's, Newfoundland, October 22, 1906.

TEXT OF MODUS VIVENDI.

Special to the "Evening Telegram."

Washington, October 21.

The State Department has just made public the text of the *Modus Vivendi* relative to the Newfoundland fisheries, which has already been dealt with in abstract form, but which the people of Newfoundland have expressed a desire to see in its entirety before the Cabinet of the Island Colony decides upon a line of action. In this case the *Modus Vivendi*, instead of taking the form of a treaty, is embodied in correspondence passing between the British Foreign Office and the American Ambassador at London as follows:—

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* No. 20.

> "The American Ambassador to the British Office. American Embassy London, October 6, 1906. [No. 41 in [Cd. 3262] December, 1906.]
>
> "To the American Ambassador, Foreign Office, October 8th, 1906." [No. 44 in [Cd. 3262].]

No. 22.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 14, 1906.)

MY LORD, Government House, St. John's, November 1, 1906.

I HAVE the honour to enclose herewith copy of a letter I have addressed to my Prime Minister with reference to my giving approval to certain minutes of the Executive Council.

2. It is customary in this Colony for Minutes of Council to be prepared by the nine members of Council sitting as a Committee of Council. A meeting of the Council is held the first Wednesday of each month at Government House, presided over by the Governor, at which the proceedings of the previous month are read over, approved, and signed by the Governor.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 22.

DEAR SIR ROBERT BOND, November 1, 1906.

AT the next monthly plenary meeting of the Honourable the Executive Council certain minutes of the Committee of Council, referred to specifically below, will come up for approval, minutes which have reference to matters that are so clearly and so directly connected with the foreign relations and the foreign policy of the Empire, that I feel it would be inconsistent with my duty to give to them an unqualified approval without the previous sanction or knowledge of the Secretary of State. I am sure the members of the Executive Council will deem it reasonable that pending reference to the Secretary of State I should ask that while I approve the minutes generally, a copy of this paper with the following qualifications should be entered in the Minute Book of the Council:—

1. The Minute of Council of 11th October conveyed to the Secretary of State by telegraph on the 12th October.*

(a.) The statement that His Majesty's Government has ignored the representations and entreaties of this Government is, it seems to me, so expressed as to be liable to be misunderstood. The representations of this Government are certainly entitled to very careful and respectful consideration; and personally I believe they have received the close and earnest attention of His Majesty's Government, in the anxious desire to give effect to them as far as the foreign relations of the Empire made this practicable.

(b.) I must refrain from committing myself to any opinion as to whether the arrangement concluded by His Majesty's Government is subversive or otherwise of the constitutional rights of the Colony; or whether any constitutional rights of the Colony can legally or expediently nullify or neutralise the arrangements that His Majesty's Government finds it necessary to enter into with foreign nations in the interests of the Empire as a whole; for I cannot fail to recognise the fact that this question has another aspect than that looked at from the point of view of constitutional rights in a rigid legal sense. There is the important consideration of Imperial or public expediency, and I feel confident that the experience and judgment of the Members of the Executive Council of this Colony will enable them to concur with me that this factor in the problem is a weighty one, and one that must of necessity be most carefully considered by His Majesty's Government.

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* No. 1.

2. The Minute of Committee of Council of the 25th October communicated to the Secretary of State by telegraph on the 26th October.*

(a.) In this Minute the Committee of Council express the intention of taking legal proceedings against Colonial fishermen that have engaged themselves to Americans for the herring fishery. As the *modus vivendi* seems to me to pledge His Majesty's Government to the Government of a foreign Power that such engagements shall not be penalized, I am not able, without instructions, to subscribe approval to this proposal.

I understand that the proceedings proposed would be confined to Colonial fishermen, and I entertain no doubt that in the action taken American subjects and property would be left unmolested. But even with that reservation I cannot but see that the effect of such proceedings might be very embarrassing to His Majesty's Government in conducting the negotiations now pending with the Government of the United States, and it is on this ground that I have concluded that I should not give an unqualified approval to this Minute without being authorised by the Secretary of State to do so.

(b.) At the same time I cannot forget the fact that it is only fair to these fishermen, whose loyalty to the Empire is genuine and intense, to believe that they have acted in good faith in engaging themselves in a way that they regard as permitted and allowed by an arrangement entered into by His Majesty's Government, probably some of them the same men that were similarly engaged last year at a time when the law under which I understand they would be prosecuted was in force, and when the act of the men concerned was without the sanction, which they doubtless regard as valid, of a *modus vivendi* of which the Secretary of State has said in his telegram of the 23rd October† that His Majesty's Government "trust that your Ministers will do what lies in their power to see that it is properly observed."

It is also a consideration with me that I do not at present know how the proposed test would be carried out in practice so as to be of value. From the fact that the Committee of Council deemed it necessary to consult learned counsel in England, it is manifest that the question to be tested is one of extraordinary legal complexity. It is, therefore, not apparent how a satisfactory test could be arrived at by legal proceedings against local fishermen before the Stipendiary Magistrate at Bay of Islands. Local fishermen are not able of themselves to argue on the validity of an act of State or on the legal and constitutional effects of maritime jurisdiction, or of this *modus vivendi*, performed or entered into by His Majesty's Government in the desire to do the best they can for this Colony and for the Empire. They are probably not in a position to employ Counsel even at Bay of Islands, still less to obtain the opinion of English Counsel. Presumedly the test cases would be brought before the Supreme Court, and thence, if the test is to be finalized, before the Judicial Committee of the Privy Council. But access to the superior courts, so far as the fishermen are concerned, could probably be had only by this Government meeting the expenses of both sides if legal justice is to be carried to a final and convincing test. But I should hope that long before that had been reached the present *modus vivendi* would be set aside by a treaty fairly satisfactory to each of the nations concerned.

I have, &c.,
Wm. MacGregor.

The Right Honourable
Sir Robert Bond, P.C., K.C.M.G., &c.,
Prime Minister.

No. 23.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received November 16, 1906.)

Sir, Foreign Office, November 15, 1906.

With reference to previous correspondence respecting the *modus vivendi* in regard to the Newfoundland fishery question, I am directed by Secretary Sir E. Grey to transmit to you, to be laid before the Earl of Elgin, copy of a despatch to His Majesty's Ambassador at Washington, recording a conversation with the

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* No. 7.

† No. 2.

United States Ambassador with regard to the alleged issue by the Newfoundland authorities of summonses to members of the crews on American vessels for enlisting outside the three-mile limit.

I am also to enclose copy of Memorandum which was subsequently communicated by Mr. Whitelaw Reid embodying His Excellency's remarks.

Sir E. Grey would be glad if Lord Elgin would take steps to ascertain by telegraph whether proceedings of the nature indicated have already actually been taken, and whether it is correct to assume that they are merely in the nature of a test case.

I am, &c.,
E. GORST.

Enclosure 1 in No. 23.

Sir E. Grey to Sir M. Durand.

Sir, Foreign Office, November 14, 1906.

The American Ambassador has been informed by his Government that the Newfoundland authorities have interfered with fishermen shipped outside the three-mile limit in an American vessel. The American captain has objected to the removal of men from his vessel, and the action of the Newfoundland authorities is held by Americans to be a clear violation of the *modus vivendi.*

In answer to the complaint made to Washington, the United States Government had replied that they assumed the Newfoundland Government wished to raise an action in order to bring a test case as to their powers. The United States Government have, therefore, taken steps to ascertain whether this is what is meant, and if a test case is desired they will facilitate it. They understand that, in such a case, it would not be necessary to detain more than one or two men.

If, on the other hand, this is the first step on the part of the Newfoundland Government to break up or interfere with American fishing, then the view of the American Government is that they cannot permit men to be taken out of their ships, and they look to the Imperial Government to uphold the *modus vivendi,* and prompt and vigorous action was considered necessary.

I replied that I had had no information as to the action of which complaint was made. I would at once consult the Colonial Office.

I have, &c.,
E. Grey.

Enclosure 2 in No. 23.

Dear Sir Edward, American Embassy, London, November 15, 1906.

Here is the little private and unofficial memorandum promised yesterday.

Believe me, &c.,
Whitelaw Reid.

Points of Fact communicated confidentially and unofficially, in interview of November 14th.

United States Fishery Agent in Newfoundland reported that on 12th November Colonial authorities summoned crew to appear at Court, Birchy Cove, for enlisting outside three-mile limit. Captain was inclined to ignore summons.

In answer to Agent's request for instructions, State Department said that penal proceedings under such circumstances against men shipped outside three-mile limit appeared plain violation of *modus vivendi*, but Department could not believe Newfoundland Government intended wholesale punishment of their own fishermen for seeking means of livelihood with clear permission from British Government. Department supposed whole purpose was to make a test case, and instructed Agent to ascertain. If so, to avoid conflict or disturbance, was willing, without waiving rights, to facilitate raising and disposition of the question in an orderly way, for which appearance of one or two men in Court would be sufficient. If, on contrary, wholesale arrests were intended, effect would be either to break up or seriously interfere with fishing under the *modus vivendi*, and the Department should be promptly informed.

Department explains desire to avoid any conflict that might excite Colonial feeling or cause embarrassment in dealing with Colony. But if Newfoundland Government really trying to break up fishing under *modus vivendi*, United States could not permit men to be taken from its ships. No doubt of Great Britain's full intention to enforce respect for its agreement, but prompt action seemed necessary.

No. 24.

The GOVERNOR to the SECRETARY OF STATE.

(Received 3.16 p.m., November 16, 1906.)

Telegram.

"Daily News" this morning states summonses taken out Bay of Islands against two men shipped on schooner "Ralph Hall." Alexander advising Americans not resist, but rather facilitate trial of men that question may be settled in Court. Apparently "Fiona" absent serving summonses.—MacGregor.

No. 25.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5.1 p.m., November 16, 1906.)

Telegram.

Inspector, Police, Bay of Islands, reports, 14th November, about 200 men engaged in American ships, Bay of Islands. Two summonses issued for Alexander Dubois and George Crane, Woods Island, for shipping herring on American ship "Ralph Hall," 12th November, without a licence. Summons returnable 15th November. No reason anticipate disturbance.—MacGregor.

No. 26.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.45 a.m., November 17, 1906.)

Telegram.

Referring to your telegram of 9th November,* Responsible Ministers send long reply, summary of which follows:—

(1) They do not see that any reason existed to justify *modus vivendi*, which they think was unnecessary. They refer to your telegram of 8th August,† which stated His Majesty's Government were informing United States Government that His Majesty's Government were prepared to negotiate for provisional arrangement, and would shortly submit proposals, from which Responsible Ministers infer that engagement to enter into *modus vivendi* was actually made without reference to opinion of this Government. Responsible Ministers saw they could not prevent the arrangement, but set forth their views and pointed out that *modus vivendi* not necessary, and guaranteed to maintain peace if His Majesty's Government did not interfere with enforcement of statute law against local fishermen. Under the circumstances Responsible Ministers find it impossible to admit any responsibility for *modus vivendi*.

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* No. 19.

† No. 7 in [Cd. 3262].

(2) Policy of this Government same for twenty years; to enforce Bait Act against foreigners using bounties or prohibitive duties. In the years 1890 and 1892 American Government undertook to cancel duty on Newfoundland fish, and Newfoundland for fifteen years gratuitously allowed Americans privileges to be conveyed [? continued] under conventions mentioned. United States Government accepted concessions of Newfoundland in the 1890 and 1892 Conventions as *quid pro quo* for remission of duties, which shows United States Government did not think that they had right to purchase bait fishes or employ local fishermen under Treaty of 1818.

(3) Responsible Ministers hold opinion that it is their duty to this people to test validity of an arrangement apparently intended to render nugatory law of Colony, and set aside its constitutional rights. In reply to your telegram 8th August,* Responsible Ministers 10th August,† referred His Majesty's Government to despatch 26th March, 1857,‡ which declares consent of Newfoundland essential preliminary to any modification of territorial rights or maritime rights, and five days later Responsible Ministers dealt fully with situation and suggested alternative to proposed *modus vivendi*.

(4) Object of Responsible Ministers in instituting legal proceedings under Bait Act as custodians of rights and privileges of public is to test validity of arrangement which, in their opinion, is infringement of constitutional rights of this Colony.

Responsible Ministers are very grateful for assurance that His Majesty's Government will defend claims of Newfoundland under Treaty of 1818, and they assure His Majesty's Government that no unlawful act on their part shall arise to increase difficulties of His Majesty's Government in carrying out this intention. (Summary Minute of Council ends.)

Full text of Minute of Council been posted to-day's post by "Glasgow."—MacGregor.

No. 27.

SENIOR NAVAL OFFICER, H.M.S. "Brilliant," Newfoundland, to ADMIRALTY.

(Sent from Birchy Cove, November 16: Received November 17, 1906.)

(Received in Colonial Office November 17, 1906.)

Telegram.

No. 42. Two Newfoundland fishermen who shipped outside the three-mile limit have been tried to-day at the local Magistrate's Court on the following charge:—

> That they did unlawfully on the twelfth day of November nineteen hundred and six put on board of the schooner "R. H. Hall," of Gloucester, Massachusetts, United States of America, without a licence for that purpose, a quantity of bait fish, to wit, one barrel of herrings, contrary to the provisions of the Consolidated Statute 2nd Series, Cap. 129, entitled "Of Bait Fish."

Sentenced to 500 dollars or 3 months' imprisonment. Fine paid, sentence appealed against by prisoners.

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* No. 7 in [Cd. 3262].   † See No. 8 in [Cd. 3262].   ‡ See page 11 of [C. 6365].

No. 28.

The GOVERNOR to the SECRETARY OF STATE.

(Received November 19, 1906.)

My Lord, Government House, St. John's, November 7, 1906.

I have the honour to enclose with this, for your information, a communication I received at half-past eleven last night from Sir Robert Bond. A mail leaves early this morning for Liverpool; and because the mail service has been very irregular of late, and for the reason that it seems to me desirable that the enclosure should be in your Lordship's hands as soon as possible, I take advantage of this opportunity of transmitting it, though in a somewhat unusual way.

Sir Robert Bond's letter is in reply to mine, copy of which I conveyed to you in my despatch of the 1st instant.* I have only been able to glance over the enclosed paper, and have had no time to make any observations on it.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 28.

Colonial Secretary's Office, St. John's,
Newfoundland, November 6, 1906.

Sir,

I had the honour to receive, and to bring before Committee of Council on Friday last, Your Excellency's communication in relation to certain Minutes of Committee of Council which deal with the herring fishery on the Treaty Coast of this Colony, and the *modus vivendi* recently entered into between His Majesty's Government and that of the United States of America.

Your Ministers deem it entirely reasonable that while Your Excellency approves of the Minutes generally you should desire that a copy of your letter under reference containing qualifications of that approval should be entered in the Minute Book of the Executive Council, and they feel that Your Excellency will not object to a copy of this letter, which is intended to explain the views that have called for these qualifications of approval, may also be entered in the record of proceedings of Council.

1. In the Minute of Council bearing date the 12th day of October last, your Ministers recorded an expression of their profound regret that His Majesty's Government had seen fit to ignore their representations and entreaties, and to conclude an arrangement which is, they submit, subversive of the constitutional rights of the Colony, and calculated to work severe injury to the fisheries of the Colony. It would be a matter of deep concern to your Ministers if the above-quoted remarks were wrongly interpreted, either by Your Excellency or by His Majesty's Ministers. In drafting a cable despatch such as that under reference, conciseness of expression, for obvious reasons, is usual, and your Ministers expected that the said despatch would be read in the light of all the correspondence that immediately preceded it. Your Ministers would be wanting in a proper sense of justice as well as of respect for His Majesty's Ministers if they were unmindful of, or failed to recognize, the fact that His Majesty's Government had given the legal and constitutional position set up by your Ministers their careful attention. But they were not unmindful of this, and it was with no small degree of gratification that they observed in the reply of His Majesty's Government to the note of the Secretary of State of the United States of date 19th October, 1905, on the subject of the rights of fishery, that nearly every such position advanced by your Ministers had been concurred in by His Majesty's Government, and contended for as both right and reasonable, and in no way inconsistent with the terms of the Treaty of 1818. The "representations and entreaties of this Government," which were alleged in the Minute of Committee of Council of the 12th October last to have been "ignored," were:—

(*a*.) That no *modus vivendi* was necessary in order to obviate the difficulties and dangers which His Majesty's Government considered were to be apprehended in the course of the autumn fishery. This opinion was based upon a complete knowledge of local conditions, which it was absolutely impossible for His Majesty's Ministers to possess.

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* No. 22.

(*b*.) Their representation that the only thing necessary to ensure harmonious conduct of the fishery was a Proclamation bringing into force the Foreign Fishing Vessels Act of 1906, enabling this Government to deal with local fishermen.

(*c*.) Their guarantee in respect to the peaceable prosecution of the fishery if such Proclamation issued.

(*d*) Their earnest protest against the use of purse seines as instruments calculated to destroy the herring fishery on that coast, and to deprive the people there resident of a valuable maritime industry.

(*e*.) Their earnest entreaty that His Majesty's Government would not concede to United States fishermen a right to hire local fishermen, in violation of a Statute Law of the Colony, and their emphatic statement that they could not "be consenting parties to any relaxation of the Statute Law of the Colony in favour of American citizens who might come to the Treaty Coast to exercise a right of fishery in common with His Majesty's subjects."

It is respectfully submitted that the absence of any reply to the above representations of your Ministers, excepting only the notice of the ratification of the agreement that they so strongly deprecated, seemed to warrant the conclusion that these representations had been "ignored," or regarded as unworthy of serious consideration by His Majesty's Ministers.

It is observed that Your Excellency does not question the correctness of the opinion expressed in the Minute of Committee of Council of date the 12th day of October, that the agreement concluded by His Majesty's Government is "subversive of the constitutional rights of this Colony, and calculated to work severe injury to the fisheries of this Colony," but that Your Excellency regards the matter of "Imperial or public expediency a weighty factor, and one that must of necessity be most carefully considered by His Majesty's Government." While concurring with Your Excellency as to "Imperial or public expediency" being under certain conditions or circumstances a weighty factor in dealing with public questions, your Ministers are unable to admit that such "expediency" could form sufficient justification for the abrogation of Colonial Statutes which had received the Royal assent, or for inflicting upon a community any injury or loss without compensation.

If it were admitted, for the sake of argument, that from the standpoint of "Imperial or public expediency" His Majesty's Government had some abstract right in their favour, such right, in the opinion of your Ministers, could not be properly pleaded as a justification for the course adopted in the matter under review. There are rights which, in their exercise under certain circumstances, are the most odious of all wrongs, and the most vexatious of all injustice. In this instance we have to ask ourselves, what were the circumstances under which this expediency arrangement was entered into?

(1.) There had not been any breach of the peace committed by either American or Newfoundland fishermen.

(2.) His Majesty's Government had received the most positive assurance from American fishermen themselves (in the form of affidavits made before a justice of the peace, and of which His Majesty's Government was apprised by Your Excellency in Minute of Council of date 15th of August last), as to the friendly and generous disposition displayed towards them last year by the fishermen of this Colony.

(3.) Nothing had occurred during the currency of the present year to change that relationship.

(4.) The Government of this Colony had guaranteed the "peaceable conduct of the autumn fishery" this year, provided His Majesty's Government did not interfere with them in enforcing the Statute Law of the Colony amongst the fishermen thereof.

It will hardly be seriously contended that in these circumstances there was anything to warrant an expediency arrangement such as the present *modus vivendi*. But it may be answered there were other circumstances appertaining, and they were:—

(1.) A demand from American fishermen to engage the people of this Colony to catch fish for them in defiance of a Statute Law which makes it a penal offence for local fishermen to "take, catch, or haul, or to assist in taking, catching, or hauling bait fishes without a licence."

(2.) A demand from American fishermen that the people of this Colony engaged by them should use purse seines in the conduct of the fishery in defiance of the Statute Law of the Colony, which penalizes the use of such seines, and

(3.) The Government of this Colony had refused to be consenting parties to this proposed violation of the law.

It was under these circumstances, then, that His Majesty's Government decided to execute an instrument intended to override the decision of your Ministers as well as the Statute Law of the Colony, and it is under such circumstances as these that the rights which Imperial or public expedience are supposed to confer become the most odious of all wrongs, and the most vexatious of all injustice.

Viewing the question from either a constitutional, legal, or expediency standpoint, it is difficult to conceive how any justification can be found for such an unexampled proceeding. If, however, for Imperial or public reasons, which do not appear to your Ministers, the demands of the United States Government on behalf of its fishermen had to be acceded to, then, it is submitted, justice required that the injury and loss about to be inflicted upon the people of this Colony should have been provided for by a liberal measure of compensation. Had this course been pursued your Ministers and this Colony would have been spared the painful humiliation to which they have been subjected, and His Majesty's Government much adverse criticism, and no doubt embarrassment, for under such circumstances as these this Government would have felt themselves warranted in exercising the powers conveyed to them by Parliament, and have limited the operation of the Bait Act for this season, so that it should not apply in the case of those local fishermen who might elect to engage themselves to fish for the Americans.

2. The second Minute of Committee of Council, to which Your Excellency has not felt able to give an unqualified approval, is that of the 25th of October last, which expressed the desire that Your Excellency would be pleased to advise His Majesty's Government of the intention of your Ministers to take legal proceedings against Colonial fishermen, who engaged themselves to American fishermen, and prosecuted the fishery in violation of the Statute Law of the Colony.

It is observed that Your Excellency is unable to give "an unqualified assent" to this Minute

(1.) Because the *modus vivendi* appears to pledge His Majesty's Government to the Government of a foreign Power that such engagements shall not be penalized.

(2.) Because such proceedings might be very embarrassing to His Majesty's Government.

(3.) Because Your Excellency believes that the Colonial fishermen "have acted in good faith in engaging themselves in a way that they regard as permitted and allowed by an arrangement entered into by His Majesty's Government."

(4.) Because Your Excellency does not "at present know how the proposed test would be carried out in practice so as to be of value," as the parties to be prosecuted, namely, Colonial fishermen "are probably not in a position to employ counsel."

It is exceedingly distasteful and painful to your Ministers to enter upon a policy that does not meet with the unqualified approval of Your Excellency. They have had so many proofs of your wise judgment, of your sympathy with their labours on behalf of the public, and of your practical interest in the general well-being and advancement of the Colony, that it is only a firm belief in the truth of the maxim: "He serves the King best who directs his endeavours to the preservation of the rights and privileges of the King's subjects," that nerves them for the performance of the very unpleasant duty that devolves upon them as Ministers of the Crown. They regard the *modus vivendi* as oppressive, as well as subversive of the constitutional rights of His Majesty's subjects in this Colony. For them, therefore, passively to bear with oppressions committed within the radius of their jurisdiction would be, in truth and reason, for this Government to be an accomplice in the abuse.

We have to recognize, in the first place, that the enforcement of the Bait Act against the Americans as it has been enforced against the French is required by the people of this Colony at the hands of their representatives. The question was submitted to the people at the polls in 1904 by your present Ministers and their party supporters, and a mandate was received from the people in a most remarkable manner, as evidenced by the return of thirty Ministerialists to six Opposition members.

The law which they are required to enforce has been upon the Statute Book for nearly twenty years, and was only relaxed for a time in the case of Americans because the Government of the United States of America had entered into a trade convention with His Majesty's Government on behalf of this Colony, which provided for such relaxation, and the ratification by the United States Senate of the said Convention. The United States Senate having failed to ratify the said Convention, the obligation on the part of this Colony to be performed ceased, and the law above alluded to became active.

While it was, and is, quite competent for the Government of this Colony to suspend or limit the operation of the Bait Act, or if sufficient and extraordinary reasons could be adduced for the Imperial Parliament to suspend the operation of the Act in defiance of this Government, it is most humbly and respectfully held by your Ministers that no power of suspension, limitation, or abrogation of this law, or of any law of this Colony which has received the Royal assent, is vested in His Majesty's Ministers or even in the Crown itself, and, therefore, if the *modus vivendi* "pledges His Majesty's Government to the Government of a foreign Power" in the matter of such suspension, limitation, or abrogation, it is an illegality to which your Ministers cannot consent to become parties.

The Bill of Rights—"An Act declaring the Rights and Liberties of the subject"—very clearly sets forth "that the pretended power of suspending of laws, or the execution of laws, by Royal authority without consent of Parliament is illegal."

Your Ministers can well believe that the proceedings upon which they have entered may prove "very embarrassing to His Majesty's Government," but while they sincerely regret that any action of theirs should occasion such embarrassment, or even contribute towards the same, they do not conceive it to be consistent with their duty to those they represent to stay proceedings on that account. One fact is clear and indisputable. The embarrassment that is occasioned, or that will be occasioned, is not by reason of the wrong doing of your Ministers. On the contrary, they have endeavoured to the utmost of their ability, consistent with their sense of duty to those they represent, to prevent it, by faithful representation, by humble and respectful protest; but they have failed. If His Majesty's Government have acted justly towards this people, and within their powers, then no embarrassment can possibly ensue from the action of your Ministers. If, on the other hand, they have acted unjustly, or if there are reasonable grounds for believing that they have so acted, then your Ministers are confident that Your Excellency will agree that the course adopted by them is entirely proper. Your Ministers enter upon this suit with no desire to embarrass His Majesty's Government, but with a firm resolve to assert the Colony's rights. They feel certain that Your Excellency will admit, as a general principle, that treaties ought to be strictly construed, and that the Colony has a right to apply for redress, if it can be established that the Americans are exercising privileges which the Treaty of 1818 does not justify, and that no mere diplomatic agreement can give them; also that Your Excellency will feel free to admit that when England has granted a Constitution, her honour is as much concerned in the maintenance of the Constitution as in any other way. Both these questions are involved in the issue before us.

In this connection I would state that your Ministers have abstained from promulgating the "arrangement" to which Your Excellency refers, regarding it as illegal, and being desirous that the people should not be misled by an official publication to believe that the law had been suspended, and that they were at liberty to engage themselves to American captains to aid in the prosecution of the herring fishery.

Your Ministers are aware, however, from a report from Inspector O'Reilly of date the 31st ultimo, that Captain Anstruther, of H.M.S. "Brilliant," now at Bay of Islands, is encouraging the fishermen of this Colony to engage themselves to the Americans in contravention of the law. They are also aware, from the said report, that Captain Anstruther informed Inspector O'Reilly on Saturday, the 27th ultimo, that he had signed a "draft copy of new regulations" in respect to the conduct of the fishery on the Treaty Coast. Inasmuch as under date the 26th day of October last, I had the honour of forwarding to Your Excellency a formal and official protest against the conduct of Captain Anstruther as outlined in his letter to the Secretary of the Admiralty of date the 24th of October, a copy of which Your Excellency was graciously pleased to transmit for the information of your Ministers, and at the same time requested that said protest might be forwarded by Your Excellency to the Right Honourable the Secretary of State for the Colonies, your Ministers can assume no responsibility for the acts of Captain Anstruther, or hold themselves in any degree amenable to either censure or damages for loss that may accrue to those local fishermen who, in defiance of the law, have engaged themselves to American captains. If loss accrues to those fishermen it will be by reason of the advice and counsel of Captain Anstruther of H.M.S. "Brilliant," and as he is an Imperial officer, presumably acting under Imperial instructions, they will probably seek their remedy at the hands of His Majesty's Government.

Your Excellency is doubtless correct in the assumption that "probably some of the men that were similarly engaged last year at a time when the law under which they will be prosecuted was in force" have engaged themselves at this time. It will be in the remembrance of Your Excellency that while the law was in force it was not enforced, and that too because of the earnest request of His Majesty's Government that your Ministers would abstain for that season from any action likely to cause friction. It will also be in Your Excellency's remembrance that your Ministers pointed out to His Majesty's Government at that time the demoralising effect that was likely to accrue from the non-enforcement of the Statute Laws of the Colony. But the leniency of your Ministers last year will scarcely be pleaded by those fishermen in extenuation of their present breach of the law, for it was made abundantly clear to them through the official debates of the Legislature freely circulated, as well as by the Foreign Fishing Vessels Act of last session, that received Your Excellency's assent, that the law would be rigidly enforced this year.

3. Your Excellency's kind and generous disposition has, no doubt, prompted the suggestion that "local fishermen are not able of themselves to argue on the validity of an Act of State or on the legal and constitutional effects of maritime jurisdiction, or of this *modus vivendi* entered into by His Majesty's Government," and that "they are probably not in a position to employ counsel" to defend them.

Of course this was merely put forward by Your Excellency as a statement of fact, and not intended as a reason for your not being able to fully approve the enforcement of the law, for if it were seriously advanced as an argument against the enforcement of the law, and admitted to be correct, then we have only to follow it out to its logical conclusion, and all criminals who are ignorant of the law, and cannot pay for a counsel to defend them, should go free.

In conclusion I have only to add that the efforts of your Ministers shall be directed to the speedy vindication of the local law, and to the testing of the constitutionality of the *modus vivendi*, and to humbly pray that if the letter addressed by Your Excellency to me is forwarded to the Right Honourable the Secretary of State for the Colonies you will do me the honour of forwarding this reply at the same time.

I have, &c.,
R. Bond,
Colonial Secretary.

His Excellency
Sir William MacGregor, K.C.M.G., C.B., &c., &c.,
Governor.

No. 29.

The GOVERNOR to the SECRETARY OF STATE.

(Received 8 a.m., November 22, 1906.)

Telegram.

I have had personal interview with Inspector O'Reilly who has arrived from Bay of Islands at St. John's, Newfoundland.

(1.) No ill-feeling towards American ships on the part of Newfoundland fishermen, and no interference with American ships.

(2.) About forty American ships, about twenty Canadian ships, about fourteen Newfoundland vessels, Bay of Islands; three vessels loaded, sailed for Gloucester.

(3.) Herring fishing good, American ships will be able to complete loading wants as far as one can see.

(4.) American ships not making use of purse seines, have been used very little, no room for them in arms Bay of Islands.

(5.) Licences not issued to fishermen, who supply herring Canadian ships, but Canadian ships are licensed vessels, no American ships are licensed vessels, and no licences issued to catch for American ships.

(6.) There has not been Sunday fishing or very little by American ships, and very little night fishing.

(7.) Newfoundland fishermen to be paid by results; on American ships 1 dollar per barrel; American ships supply appliances and food.

(8.) Alexander has been on friendly terms with Newfoundland officers; American ships consult with Alexander on all points raised, and are guided by his careful advice; Alexander understands position, and endeavours to prevent trouble.

(9.) Neither master nor owner American ships offered any opposition to legal proceedings against Dubois and Crane, but rather facilitated matters advised by Alexander.

(10.) Dubois and Crane have gone home.

(11.) Legal proceedings produced no result. There is no excitement; fishermen are at work as if nothing had happened.

(12.) Total of fishermen Bay of Islands estimation (*sic*) 1,600 to 1,700; about 400 engaged with American ships.

(13.) Only fishermen engaged with American ships supply American ships with herring; fishermen engaged and not engaged supply herring to Canadian ships.

(14.) Captain Anstruther affords assistance to Inspector, giving every help, often see each other.

(15.) All American ships have entered Customs House, and Light Dues have been paid without any trouble.

(16.) American ships have observed in good faith the conditions laid down in *modus vivendi.*

(17.) About eight American ships brought over quite full crews; others hoped vacancies would be filled from Newfoundland.

(18.) No trouble expected if matters remain the same as at the present time, but enforcement of Bait Act in general might produce disturbance.—MacGregor.

No. 30.

ADMIRALTY to COLONIAL OFFICE.

(Received November 24, 1906.)

Sir, Admiralty, November 22, 1906.

I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, copy of a letter, dated 5th November, which has been received from the Senior Naval Officer, Newfoundland Fisheries, relative to fishery matters.

I am, &c.,
EVAN MACGREGOR.

Enclosure in No. 30.

Sir, "Brilliant," at Birchy Cove, November 5, 1906.

In continuation of my letter of 24th October, 1906,* on the situation here with regard to the autumn herring fishery, I have the honour to report that matters are proceeding peaceably and quietly so far.

Although I have not yet been able to get Mr. Alexander's signature to the arrangement which we drafted together, on account of the difficulty of communicating with all the agents of the firms concerned, yet he has assured me that no more purse seining will take place inside the Heads unless circumstances alter, and that none has, in fact, taken place since our previous interview.

As he foresaw, several more American schooners have arrived, furnished with purse seines and manned by Gloucester crews, who are not as yet prepared to bind themselves by any arrangement which might hinder the success of their season; they wish to keep their liberty to use purse seines, though up to the present they have not actually used them as far as I know.

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* Enclosure 2 in No. 18.

2. There has been considerable movement of schooners and boats as the season gets into full swing, but the hauls up to the present have been only moderate.

There is a fairly good show of herring in all three arms, but they have not definitely settled yet.

3. I had an interview with Inspector O'Reilly, of the "Fiona," on her arrival. He did not inform me of any untoward occurrences, and gave it as his opinion that as long as a British man-of-war was here there would be no trouble.

4. Three schooners have sailed with full fares: one American, one Canadian, and one locally owned, or, rather, chartered.

5. On the 31st ultimo the "Potomac" sailed for Sydney to coal. She is expected back in three or four days.

6. On 3rd November the Magistrate came on board and showed me a Public Notice (enclosed) quoting sections of an Act "Of exportation and sale of bait fishes," which had just been promulgated. He said that after the issue of the Notice the Newfoundland Government intended to take legal proceedings against Newfoundland fishermen who shipped on board American schooners, so as to test the validity of that portion of the *Modus Vivendi*, which says that "The shipment of Newfoundlanders by American fishermen outside the three-mile limit is not to be made the basis of interference or to be penalized." He also gave me to understand that the view of the Newfoundland Government is that the Imperial Government had trenched upon the rights of Newfoundland by agreeing, in the *Modus Vivendi*, that certain portions of the Act of 1905 "will not be regarded as applying to American fishing vessels," and that this Public Notice is specially designed to bring matters to an issue. It was further hoped that its publication might prevent any more Newfoundland men from shipping in the American schooners and thus cripple the American fishing almost entirely, or that even if the men did ship they could be harassed and hampered under the Act quoted, and that this might hinder the American fishermen to some extent.

He showed me a newspaper in which it was frankly avowed that the intention and hope was to embarrass the British Government in their relations with the United States.

The date of the passing of the Act being omitted in the Public Notice, it will be difficult for the ordinary fisherman to read it in its entirety, if they wish to—perhaps some of the older men may know that the extracts are from the Bait Act of 1889. I hear that the Newfoundland fishermen have been told locally that they will render themselves liable to a penalty of $1,000 or 12 months in the Penitentiary if they ship on board American schooners. As 40 or 50 more American schooners are said to be coming here, whose skippers will probably expect to fill up their fishing crews with Newfoundland fishermen either from Bonne Bay or Bay of Islands, it is very important to both Newfoundlanders and Americans to know exactly how they stand.

This forenoon (5th November) two American skippers and three Newfoundland fishermen came on board to ask me to tell them how matters stood, as the Newfoundland men were afraid to fulfil their engagement to ship.

I read to them the *Modus Vivendi*, giving them in writing that portion which deals with the shipment of Newfoundland fishermen by American schooners. I also read to them certain other portions of the Bait Act of 1889, including paragraph 22, which says, "Nothing in this Act shall affect the rights and privileges granted by Treaty to the subjects of any State in amity with Her Majesty." I also read them the first part of the Treaty of 1818, and gave it as my opinion that they could safely trust the British Government to abide by the terms of the *Modus Vivendi;* at the same time I pointed out that I understood from the Magistrate that it was the intention of the Newfoundland Government to bring forward a test case on this very point; but I added that I felt sure that His Majesty's Ministers had not entered into an agreement with the Government of the United States without being quite sure of all the legal aspects connected with the points at issue. I explained that I did not consider it part of my duty to prevent arrests by the Colonial Police for alleged breach of Colonial laws in a self-governing Colony, but that if shipment by Newfoundland fishermen in American schooners was made a basis of interference or was penalised, the fact should be brought to my notice, and I should report the matter to the Imperial Government, who might be trusted to see justice done.

7. I have had one complaint as to fouling nets and cutting gear, which I have not yet been able to investigate. I have issued to fishermen generally extracts from

the Rules and Regulations for Newfoundland Fisheries, with the view of preventing any more such cases.

8. It is my intention to remain here for the present, to be in touch with whatever action the Newfoundland Government may take subsequent to the Public Notice in question.

I have, &c.,
ROBT. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

The Secretary
of the Admiralty.

"EVENING TELEGRAM," October 31, 1906.

PUBLIC NOTICE.

The following Sections of the Act entitled, "Of the Exportation, Sale, &c., of Bait Fishes," are published for general information:—

Section 1. No person shall,—

1. Export or cause or procure to be exported or assist in the exportation of; or
2. Haul, catch, take or have in his possession for the purpose of exportation; or
3. Purchase or receive in trade or barter for the purpose of exportation; or
4. Take, ship, or put or haul on board, or assist in taking, shipping, or hauling on board of any ship or vessel for any purpose whatever; or
5. Carry or convey on board of any ship or vessel for any purpose whatever,

> any herring, caplin, squid or other bait fishes from, on or near any part of this Colony or its dependencies, or from or in any of the bays, harbours or other places therein, without a license in writing to be granted and issued as hereinafter provided.

Section 9. Any person who shall violate any of the provisions of Section 1 of this Chapter or any of the subsections thereof; or

1. Use, dispose of or deal with any bait fishes otherwise than in accordance with the terms of the affidavit made upon application for a license or with the terms of such license; or
2. Make any untrue statement in any affidavit upon application for a license under this Chapter; or
3. Obtain a license under this Chapter by means of any false statement or misrepresentation, or by the suppression or concealment of any material fact,

> shall be liable for every first offence to a penalty not exceeding one thousand dollars or imprisonment for a period not exceeding twelve months.

Any person convicted of a second or subsequent offence under this Chapter shall, on conviction, be subject to imprisonment with hard labour for a period of not less than twelve months.

ELI DAWE,
Minister of Marine and Fisheries,
per W. B. PAYN.

Office of Marine and Fisheries,
October 31, 1906.

No. 31.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 27, 1906.)

MY LORD,
Government House, St. John's, November 16, 1906.

WITH reference to my telegram of 16th November* giving, for your Lordship's information, a summary of a minute I had received from my Ministers in reply to your telegram of the 9th November,† I have the honour to transmit herewith the full text of the Minute in question.

I have, &c.,
WM. MACGREGOR.

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* No. 26.

† No. 19.

Enclosure in No. 31.

MINUTE of the Committee of the Honourable the Executive Council, submitted for the approval of His Excellency the Governor.

The Committee of Council have had under consideration a telegram received by His Excellency the Governor from the Right Honourable the Secretary of State for the Colonies, of date 9th instant, and would respectfully observe in reply:—

1. That they must assume that the *modus vivendi* was arranged for reasons that do not appear to them, inasmuch as they are unable to perceive any justification for such an arrangement in the condition of things actually appertaining in this Colony at the time of its negotiation or that could possibly arise by reason of contemplated action on their part.

The first despatch received from His Majesty's Government dealing with this matter was under date the 8th day of August, 1906, and it was therein declared that "His Majesty's Government were informing the United States Government that, pending further discussion of the questions at issue, and without prejudice to such a discussion, they were prepared to negotiate a provisional arrangement which would enable the fisheries to be carried on in good order and friendship and that they would shortly submit proposals with that object."

It is evident from the foregoing that the engagement to enter into a *modus vivendi* was actually made without reference to the opinions or views of this Government. Having been thus made, it was apparent to this Committee that any arguments advanced by them against such arrangement could not have the effect of preventing the same, for His Majesty's Government were already committed to an arrangement, but the Committee deemed it necessary to clearly set forth their views and to point out that, in their opinion, no such arrangement was necessary, and it will be remembered that they guaranteed to secure the peaceable prosecution of the autumn fishery if His Majesty's Government would not interfere with the enforcement of the statute law against local fishermen. Under these circumstances it is impossible for this Committee to admit any responsibility for the *modus vivendi*.

2. The policy of this Government in this connection is precisely that which has appertained for nearly 20 years, namely, the enforcement of the Bait Act against foreigners who, by reason of bounties or prohibitive duties, are unfairly hampering the trade and fisheries of this Colony.

As has been pointed out, by reason of an undertaking on the part of the United States Government to cancel the imposition of duties upon Newfoundland fish entering the United States markets—first in the year 1890 and again in 1902—this Government limited the operation of the Bait Act in respect to United States fishermen and allowed them for the past fifteen years all the privileges that were intended to be conveyed by the Conventions of 1890 and 1902.

It must be remembered that these concessions were entirely gratuitous, and the fact that the United States Government in the conventions aforesaid accepted the same as a *quid pro quo* for the remission of duties imposed under their tariff is clear and unmistakable evidence that they never regarded the right to purchase bait fishes or to employ local fishermen to catch such for them as a right which accrued to them by virtue of the treaty of 1818.

The Committee of Council, therefore, consider that a discussion upon a point so plainly admitted could not have been insisted upon by the United States Government.

3. It was only after the most careful consideration and with exceeding regret that this Government decided that it was their duty to this people to test the validity of an arrangement that, apparently, was intended to render nugatory the laws of the Colony and to set aside the constitutional rights of the Colony.

In reply to the first despatch received from His Majesty's Ministers in relation to this question, namely, that of the 8th of August last, this Committee on the 10th August, as a preliminary step, referred His Majesty's Government to the assurance contained in despatch of the 26th March, 1857, embodying the pledge "that the consent of the community of Newfoundland would be regarded by His Majesty's Government as the essential preliminary to any modification of the territorial or maritime rights of the Colony," and five days later, in a lengthy and comprehensive Minute, dealt with the whole situation and suggested an alternative to the proposed *modus vivendi*.

4. The object of this Government in instituting legal proceedings at this time under the Bait Act is not, as alleged by His Majesty's Government, "an endeavour to frustrate purely temporary measures," but rather to test the validity of an arrangement which, in their opinion, infringes upon the constitutional rights of this Colony, and as the custodians of public rights and privileges to use all proper and constitutional means to protect the same.

The Committee are exceedingly grateful for the assurance that "His Majesty's Government will endeavour in the future as in the past to defend claims of Newfoundland under the treaty of 1818 to the best of their ability," and they would assure His Majesty's Government that no unlawful act on their part shall arise to increase the difficulties that may beset His Majesty's Ministers in the carrying into effect of this intention.

R. Bond,
Colonial Secretary.

November 15, 1906.

No. 32.

The GOVERNOR to the SECRETARY OF STATE.

(Received December 4, 1906.)

My Lord, Government House, St. John's, November 20, 1906.

I have the honour to transmit, for your information, a report of the public proceedings that took place in Court at Bay of Islands in connection with the legal prosecutions instituted against the two fishermen Alexander Dubois and George Crane, who were convicted of a violation of the Bait Act by putting a barrel of herring on board the American schooner "Ralph L. Hall."

It is not quite clear as yet whether the two men in question, Alexander Dubois and George Crane, have returned to work for the American employer. I am asking the Honourable the Attorney-General to obtain for me precise information on this point.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 32.

Extract from "Daily News," November 20, 1906.

The Story of the Famous Trial.

(From our own Correspondent.)

To the history being made by the Government respecting the herring fishery at Bay of Islands, the trial of Alexander Dubois and George Crane, of Woods Island, contributes an important episode. Crane and Dubois were charged with a violation of the Bait Act, the summons setting forth that they "did unlawfully put on board the schooner 'Ralph L. Hall,' of Gloucester, Massachusetts, in the United States of America, a quantity of bait fishes, to wit, a barrel of herring, without a licence, for that purpose, contrary to the provisions of Consolidated Statutes (second series), chapter 129, entitled 'Of the exportation, sale, &c., of bait fishes.'"

Upon this charge the prisoners were arraigned, and through their counsel, W. R. Howley, of St. John's, pleaded not guilty, the contention being put forward that the court had no jurisdiction to deal with the alleged offence.

Kent, K.C., for the Government, stated that the charge was made under the Bait Act, and called Inspector O'Reilly, who said he was complainant, as special commissioner to enforce the Act. Inspector O'Reilly's evidence went to show that, being on the bridge of the cruiser "Fiona," at Woods Island, on Monday, November 12, he saw accused go alongside schooner "Ralph L. Hall," from their nets. One of the men was in a dory, the other on the deck of the schooner. The former "dipped" up about two and a half tubs of herring, and passed them aboard the vessel to her deck. O'Reilly went on board the schooner the same evening, saw Captain Hall (owner) and a number of fishermen in the cabin. He (O'Reilly) had some talk with the men, though not the prisoners, particularly, and told them summonses would be served, at the same time asking if they had licences. Later he had conversation with Dubois, who admitted having put on board a little over one barrel of herring, and that he (Dubois) had no licence. The accused had only taken three barrels of herring in all, at Woods Island. Inspector O'Reilly also stated that Bait Act proclamations had previously been posted at Bay of Islands and other settlements.

Timothy Costello, customs officer at Woods Island, was also on board the "Fiona," and testified to seeing accused deposit herring on board the schooner from their dory. He went with O'Reilly on board the schooner, and corroborated testimony as to the conversation which took place.

Cross-examined by Mr. Howley, Costello said the "Ralph L. Hall" hailed from Gloucester, was fishing at Woods Island, and that Woods Island was situate between Cape Ray and Quirpon Islands, on Treaty Coast.

James Collins stated that he was tide waiter on board the "Fiona," and, generally, corroborated the previous evidence.

Cross-examined by Mr. Howley, Collins said the "Fiona" was about 200 yards from the schooner. He had a glass, and in the broad light of day he was watching the movements of the men on the schooner. His orders were to be "on the watch," and he carried them out to the best of his ability. He did not know that part of his duty as tide waiter was to watch fishermen who sold herring, but he did it. He supposed the Government paid his salary, as cheques came from that source. Everybody on the "Fiona" was "watching."

Mr. Howley, for defence, stated that he would content himself with proving that his clients were part of the crew of the schooner "Ralph L. Hall," and asked for a short recess in order to consult his clients, whom he had no chance of conversing with previously. The magistrate (Levi March, Esq.) granted a short recess for that purpose. After consultation, Mr. Howley called George Crane, who testified that he was a fisherman, belonging to Woods Island, fishing for Captain Hall, of the schooner "Ralph L. Hall." He was shipped on Thursday, November 8th, outside three-mile limit, and on Monday was catching herring at Woods Island for Captain Hall.

Cross-examined by Mr. Kent, K.C., Crane said he went outside the limit in the schooner "Lucy," three miles outside Wiebald. Was engaged to ship for $1 per barrel, boats and gear being all found by the schooner.

Alex. Dubois' evidence was to the same effect. He was one of the crew of the "Ralph L. Hall," and fishing for her.

At the conclusion of the defendants' evidence, Mr. Howley addressed the court, and asked that the charges against the accused be dismissed. First, on the ground that defendants had not violated any statute, or been guilty of any breach of the Act. He argued, that while the Bait Act provided a penalty for taking fish, section 22 provides that subjects of States in amity with His Majesty are exempt from penalty. He submitted that the United States of America, being in amity with Great Britain, her subjects were not liable to be penalized under the Bait Act. He further contended that the United States has express and properly defined rights on the coast, including the scene of action at Woods Island. The Bait Act expressly excepted Americans from its provisions, was directed solely against the French at the time of its enactment, and was never intended to be employed against Americans. Mr. Howley argued that the defendants had been regularly engaged by Americans, without the jurisdiction of Newfoundland; that they were, to all intents and purposes, American subjects, certainly American servants, and so removed from the control of Colonial laws or officials. The herring fishery had been conducted from time immemorial without any interference by Newfoundland. The men who fished on American vessels were not Americans, but Danes, Swedes, Irishmen, Nova Scotians, Russians, Jews, and almost every nationality on the face of the earth. It was never intended by the Act to define who should be shipped, and if the accused were punished it simply meant that *every nation could fish in the waters of Newfoundland except Newfoundland men to whom the fish unquestionably belonged by every right and act of justice.* Any attempt by the Newfoundland Government to enforce the Bait Act against Americans, brought us face to face with the fact that everybody but Newfoundland men may profit from the fishery of their own land, at their own doors. Further, given that all the foregoing contentions be not sustained, the question as to whether or not the Treaty of 1818 empowers the Newfoundland Government in its present course, or, rather, the question as to what that Treaty means, is not within the jurisdiction of the magistrate, but must be left to a higher tribunal for interpretation.

Kent, K.C., replied, arguing that the right given by treaty only extends to *bonâ fide* inhabitants and citizens of the United States. He claimed that the magistrate had full power to investigate and determine whether the accused had violated the law, and, if so, to inflict punishment.

Both addresses, while brief, were argued with considerable force, and apparently listened to with marked attention by the presiding magistrate.

At the conclusion of addresses by counsel, the magistrate proceeded to *read* his decision, a decision evidently prepared with care, long before the trial began, a decision said to have been prepared for him by the Crown, and for those reasons calculated to bring law and justice into contempt, disrepute, and ridicule. The decision intimated that, upon questions of law, a higher tribunal would pronounce, but as to the guilt of accused in violating the Bait Act, Magistrate March had no doubt. He thereupon pronounced sentence of a five hundred dollar fine, or three months' imprisonment, upon each of the accused. In presenting his decision, the magistrate even read the words: "Given under my hand and seal, this 16th day of November, 1906."

The whole proceeding was so ludicrous, so entirely free from judicial decorum, so foreign to decency and justice, and so strongly savouring of comic opera, that the small audience was not slow in manifesting its disgust and contempt for such manifestations of balderdash and tomfoolery, furnished under the covering of a court house and by virtue of legal process.

Immediately after sentence had been delivered, two of the best-known and most respectable residents of Bay of Islands voluntarily offered bonds for the release of the accused, and the names of James H. Baggs and Maurice E. Boland were accepted by the magistrate to this end.

Crane and Dubois have gone back to the work of catching herring and earning food and comforts for their families, which the Government, by its policy of stupidity, had sought to prevent. The circumstances surrounding the trial of those two unfortunate fishermen, and some comparisons as to the application of law and justice, as administered under the present Governmental *régime* in this locality, must remain for another writing. Evidence accumulates daily, emphasizing the fact that officialism is made subject to law, and that men paid with public taxes for the performance of public services, exceed their duties on all conceivable occasions, and continuously "play such fantastic tricks before high heaven as makes the angels weep."

Bay of Islands, November 16, 1906.

No. 33.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 4, 1906.)

MY LORD, Government House, St. John's, November 21, 1906.

IN continuation of my despatch of the 20th instant,* I have the honour to enclose herewith an extract from the "Daily News," of St. John's, of this day's date, having reference to the trial of the two men Dubois and Crane for putting herring on board an American vessel without a licence.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 33.

SIDE LIGHTS ON THE TEST CASE.

(From our own Correspondent.)

If contempt for law and order does not grow with the fishermen of Bay of Islands, those who are responsible for applying the law will have little to answer for. A special brand seems to be in force here. Generally throughout this Colony, and, indeed, in all British possessions, a person charged with an offence is regularly summoned before a magistrate, reasonable opportunity is given to frame a defence, and decency is at least aimed at in the proceedings. Here it is different. Men charged with offences are inveigled to the court, by a back way, at an unreasonable hour, there to find a magistrate waiting to issue summons, try the culprit, and perpetuate a farce against which British fair play and justice revolts.

In "Truth's" "Pillory" there is depicted a Perth Bailie, who considered loitering on the foot-path exactly twice as atrocious a crime as for a man to beat his wife with the tongs. The same wiseacre punished a man twice as heavily for an assault on his own bicycle, as a man who savagely attacked a defenceless girl. There are ample opportunities over here for the pen behind "Truth's" "Pillory."

The circumstances surrounding the recent arrest, trial and punishment of two fishermen, Alex. Dubois and George Crane, as compared with the punishment meted out to an American millionaire law-breaker, a week before, will serve for purposes of illustration.

On Monday, November 12th, these two fishermen, shipped on an American vessel, were catching herring, in pursuit of an honest living. Crane is 20 years old, unmarried; Dubois, 25 years old, with a wife and small family. Both are uneducated, the latter being able to read but a little. Two hundred yards distant from these men lay the cruiser "Fiona," expensively equipped at the cost of fishermen taxpayers, with her full ship's company "on watch" to prevent honest men from earning a living.

Tide Waiter Collins, at the trial, swore that they all had orders "to be on the watch," and that at least four of these watchers on the "Fiona" had glasses, scanning the movements of men only 200 yards away. An attempt to take the fishermen from the American vessel was frustrated by her captain, who warned Inspector O'Reilly against such unlawful act.

The "Fiona" returned to Birchy Cove on Monday, when it was given out that summonses had been issued, the men would be arrested, and trial was set down for two o'clock on Thursday. Wednesday morning, the "Fiona" left for the outer arms, and towards noon the American steamer "Potomac" followed.

During the afternoon Inspector O'Reilly was informed by Commissioner Alexander, representing the American Government, after consultation with the captain of the schooner "Ralph L. Hall," that if he (O'R.) wanted to take two men for trial, there would be no objection on the part of Captain Hall, as the latter was anxious to have the matter settled, and the "test case" concluded. To this O'Reilly answered from the bridge of the "Fiona," then in Middle Arm, "all right, sir." The "Fiona" proceeded to anchorage, and the "Potomac" returned to Birchy Cove.

Despite the assurances given by Commissioner Alexander and Captain Hall, two men were sent at midnight, stealthily on board the schooner, looking for Crane and Dubois. It is well known that men fishing are frequently some distance from their ship, and the two in question had their nets set in Penguin Cove, one of the many in Middle Arm. On Thursday, rather than go to the schooner, the "Fiona" scoured the arm, and ultimately, about 2.30 p.m., came upon her prey.

The men were quietly taking herring from their nets, which were full. Without ceremony, they were ordered on board the cruiser, leaving their nets and gear, with all the herring, at the mercy of wind, tide, and whatever else might work destruction. The "Fiona" was then headed for Birchy Cove, but anchored at Woods Island, where she remained all night in idleness. Next morning she steamed to Humber Arm, reached to anchorage at Birchy Cove at breakfast time, and the two prisoners were hustled to the court-house for trial.

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* No. 32.

Word was sent to Petrie's Hotel to Mr. Kent, K.C., that the trial was to proceed immediately. Through the courtesy of Mr. Kent, Mr. Howley became acquainted with the facts, and but for this no one would have known anything about the unsavoury proceeding. The trial has been dealt with in a former writing. *So much for two poor and struggling fishermen.*

Now for the other end of the legal farce.

About November 7th, Sergeant Sheppard, doing game preservation duty on what is known as the "reservation," detected two American sportsmen, viz., Hon. Judge T. J. O'Connor and Mr. H. E. Knuff, of Johnstown, Pennsylvania, in the act of shooting caribou in the water, on the "reservation." These men had fired twenty-one shots at the swimming caribou, in hearing of the constable.

One of these law violators is Judge of the Court of Common Pleas, in his State. Both are educated, intelligent, and rich in this world's goods. Both knew they were violating the law, and consequently deserved condign punishment for its violation. Sergeant Sheppard accompanied these two men by train, having first notified Magistrate March of his action.

Did the magistrate proceed to his high court of justice, on the hill, to await these law-breakers and impose a penalty commensurate with their offence, and calculated to deter others from like trespassing? Certainly not!

On the afternoon of Wednesday, November 7th, Magistrate March left his home and tramped along the railway track, a distance of six miles, to meet the rich men from the West. At Riverhead the magistrate boarded the incoming train, and, as it sped along back to Birchy Cove (which only occupies twenty minutes), he heard the complaint of Sergeant Sheppard, and then apologetically asked the law-breakers if they would prefer to wait over and stand trial, as do other wrongdoers, or "pony up" and proceed. Law-breakers usually dislike more notoriety than is necessary, and these two violators of a law for which many of our own Newfoundland men have been heavily fined or jailed, naturally concluded they would pay up, which they did to the tune of an insignificant $30 apiece.

It would be inconvenient, doubtless, for these men to be detained here two days, subject to the gaze and comment of the crowd who might be present at their trial, and the convenience of this Judge and his travelling companion from Pennsylvania weighed down the legal balance that is applied to the "common herd" of Newfoundland, so that their seat was made soft, and their transgression minimized by an obliging magistrate.

In the case of two unfortunate Newfoundland fishermen, striving to earn an honest living for their families by catching fish which a benignant Providence has placed within easy reach of them, and actually successful in hauling a little over one barrel, worth, perhaps, $1.50, a fine of *five hundred dollars*, or *three months in jail* is imposed. The two fishermen are hounded and hunted all over the Bay of Islands Arms, captured, obliged to leave their nets full of herring in the water, with probable destruction in store for them. They are hustled to the court-house early in the morning, where the magistrate is waiting with judgment prepared and written before the trial proceeds, ready to "salt" them for an offence that hundreds of their fellows are guilty of, but are not prosecuted for.

In the case of the two rich American sportsmen, the same magistrate metes out an entirely different sentence for a much graver offence. They are allowed to travel in a Pullman car, surrounded with all the ease and elegance at the disposal of the railway company, with white-coated servants dancing attendance upon their every requirement, and a policeman in the capacity of a genial body guard. The magistrate sacrifices his judicial importance, leaves his square judgment seat beside the well-filled, warm court-house "bogey," and tramps the railway track a distance of six miles, in disagreeable weather, in order that rich men may not be inconvenienced. Surely no greater travesty upon justice could be recorded than the foregoing. And as surely men living in this locality, paying taxes, as well as taxpayers all over the Colony, will arise and unite in effectually and speedily ending so disgraceful and disreputable a condition of affairs.

In the condemnation of this shameful application of the law, none are more pronounced than the honest law abiding American sportsmen, all of whom declare the punishment inflicted upon Judge O'Connor and his companion to be an inexcusable outrage, destined to make Newfoundland a target for the contempt and ridicule of the outside world. These gentlemen, many of whom have been here during the past two weeks, unite in the contention that every visiting sportsman knows the law; that they are intelligent and responsible, and that any violation of well-known enactments should invariably be visited with prompt, proper, and regular punishment, without discrimination and without subserviency.

We have the cruiser "Fiona" constantly tramping the arms of Bay of Islands, expensively equipped and officered at public expense, armed with spy glasses by day and lanterns by night, searching for some poor creature who is selling a barrel of herring from which to buy a dollar's worth of food for his family, and a magistrate ready and willing to jump on such an offender with a cruel and unreasonable penalty. And there is the same magistrate, tramping, probably foot-sore and wearily, along the tiresome railway ties, to meet a wealthy offender from outside the Colony, practically apologising for being alive, and incidentally and with consummate meekness soliciting a contribution of $30 to the Colonial exchequer in return for a violation of the game laws, that our own people have been heavily fined or imprisoned for violating, as was the case in the Burgeo country and other parts of the Colony.

In view of these circumstances, one may reasonably wonder whether they are wholly the actions of the local judiciary, or whether they are dictated from the headquarters of our judicial system at the capital, and in their extremity, an oppressed people may righteously exclaim—"How long, O, Lord, how long," must this intolerance and injustice continue?

Bay of Islands, November 17, 1906.

No. 34.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 4, 1906.)

MY LORD, Government House, St. John's, November 22, 1906.

I HAVE the honour to transmit herewith, copy of a letter I have this day received from Mr. William R. Howley, Solicitor for Alexander Dubois and George Crane, and for James H. Baggs and M. E. Boland, of Bay of Islands.

I am forwarding a copy of Mr. Howley's letter to my Ministers, and am inviting them to offer, for Your Lordship's consideration, any observations that they deem requisite.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 34.

Renouf Building, St. John's, Newfoundland,
November 22, 1906.

SIR,

I BEG to lay the following facts before you and to request that you will draw the attention of the Imperial Government thereto.

I am directed by George Crane and Alexander Dubois, the parties to whom they refer, to invoke the protection of Your Excellency and of the British Government.

Crane and Dubois are fishermen, residents of Wood's Island, Bay of Islands. On Thursday, the 8th day of November last, they proceeded beyond the jurisdiction of this Colony, to wit, to a point more than three miles from the coast of Newfoundland, and shipped to Captain Hall, of the schooner "Ralph L. Hall," of Gloucester, Mass., in the United States of America, as part of his fishing crew, for the purpose of prosecuting the herring fishery during the current season on the west coast of this island, and on a portion of the coast on which the Americans have rights of fishery under the Treaty of Washington of 1818.

These two men took this step *bonâ fide*, relying on the *modus vivendi* recently agreed upon between Great Britain and the United States, relative to this fishery, which agreement has been published by the Imperial Government, and also relying on the assurances given the fishermen of Bay of Islands as to their rights and privileges by the Commander of the British warship "Brilliant," which ship is now at Bay of Islands.

After shipment these men came inside the waters of this Colony and proceeded to catch herring as part of the fishing crew of said schooner. On Monday, the 12th November, they were engaged in putting herring on board the vessel at Wood's Island.

On Wednesday, the 15th day of November, they were cited before Levi March, Esq., Stipendiary Magistrate at Bay of Islands, to answer a charge preferred against them by Joseph O'Reilly, as Commissioner of the Government of Newfoundland, charged with the enforcement of Chapter 129 of the Consolidated Statutes of Newfoundland (second series), commonly known as "The Bait Act."

The charge preferred against them was that on Monday, the 12th day of November, at Wood's Island, they had unlawfully put on board the Gloucester schooner "Ralph L. Hall," a quantity of bait fishes, to wit, one barrel of herring, without a licence for that purpose, contrary to the provisions of Chapter 129 of the Consolidated Statutes of Newfoundland (second series).

After hearing before Magistrate March the men were convicted, and were punished by a fine of $500 each, or three months' imprisonment.

I had the honour to represent the men at the hearing, and I gave notice of an appeal to the Supreme Court of Newfoundland.

This necessitated the finding of bonds, which were obtained after some little difficulty.

The appeal is now pending, and without prejudice to any legal rights which the said appellants may have in the premises, they humbly direct this statement of their case to the consideration of Your Excellency and of the Imperial authorities.

The men have acted in good faith and upon the representation of the Imperial authorities. Their fishery has been interfered with. They have been put to considerable expense. They have been sentenced to rigorous punishment, which may or may not be enforced by the decision of the Supreme Court.

They are both honest, industrious young men. One is married and is the sole support of a wife and little child, and has, I understand, increasing burdens coming upon him. The other has an aged mother, who looks to him for maintenance, and altogether both are deserving of that consideration which humanity and natural justice dictate.

May I respectfully beg that their case be taken under advisement.

On behalf also of those who have entered into bonds for them, viz. :—James H. Baggs and Maurice E. Boland, Esquires, may I ask that any action taken in the matter include the release of these gentlemen from the bonds they have executed in the matter.

I have, &c.,
William R. Howley,
Solicitor for George Crane and Alex. Dubois,
and for Jas. H. Baggs and M. E. Boland.

His Excellency
Sir Wm. MacGregor, M.D., K.C.M.G., C.B.,
Governor of Newfoundland, &c., &c.

No. 35.

The GOVERNOR to the SECRETARY OF STATE.

(Received December 4, 1906.)

My Lord, Government House, St. John's, November 22, 1906

With reference to my despatch of the 22nd instant,* enclosing a letter from Mr. W. R. Howley, I have the honour to inform you that my Ministers do not desire to offer any observations on Mr. Howley's letter.

I have, &c.,
WM. MacGREGOR.

No. 36.

The GOVERNOR to the SECRETARY OF STATE.

(Received December 4, 1906.)

My Lord, Government House, St. John's, November 23, 1906.

I have the honour to enclose, for your information, copy of a report addressed by Mr. Magistrate March, of Bay of Islands, to the Honourable Sir Edward Morris, Attorney-General of the Colony, on events at Bay of Islands up to November 20th.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 36.

Sir, Magistrate's Office, Bay of Islands, November 20, 1906.

I have the honour to inform you that nothing special occurred since last report beyond the case which came before the Court, O'Reilly *v.* Dubois and Crane. A copy of said trial has gone forward to your address. One Captain Taylor of the schooner "Jersey" from Burin, reported to me yesterday that on Friday, November 16th, he set a fleet of nets in Middle Arm, with mooring anchors, &c., complete, and on Saturday morning, when he went to the place he set said nets, everything was taken, not a vestige of anything left. The said outfit cost him $70. He also stated that an American seine boat, with seine on board, and 16 men, passed his schooner at 12 o'clock Friday night. He did not know whether they seined any herring or otherwise. This was up in the bottom of Goose Arm, where every available foot of water is taken up with nets. Also, I am informed by Captain Nathl. Butt, of St. Georges, that he loaded his schooner with herring, about 1,500 barrels, ready for market, and when the vessel was ready to sail Captain Ross, representing one of the Gloucester firms, made him an offer to purchase the cargo, to leave him a net profit of $2,000. This will show the value of this fishery, which ought to be operated by the schooners, owners, and holders of the Colony. With this reliable information before us, how can you reconcile the fact that so many of our people will ship on board these American schooners for $1 per barrel with outfits provided and with a clear understanding should said outfit be lost it must be paid for (by) the man who engaged? These very men could join up in tens and twenties and charter a vessel to take their catch, which would be worth $5 to the producer. Mr. O'Reilly, who is now in the city, will, no doubt, have given you details, &c. What I have referred to are recent happenings since he left, which may or may not be of interest for your information.

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* No. 34.

I have, &c.,
LEVI MARCH,
Senior Magistrate.

Hon. Sir Edward Morris,
His Majesty's Attorney-General,
St. John's.

No. 37.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 6.5 p.m., December 9, 1906.)

TELEGRAM.

Appeal made in case of Dubois and Crane; time fixed by Supreme Court, 15th January.—MACGREGOR.

No. 38.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 11 p.m., December 11, 1906.)

TELEGRAM.

I have received following figures from Department of Customs on state of fishery at Bay of Islands 1st December:—

(1) American vessels 43; men shipped at Gloucester 406; men shipped at Sydney 77; men shipped at Newfoundland coast 529.

(2) Canadian vessels 21; Canadian fishermen 230; Newfoundland fishermen on Canadian vessels 265.

Local vessels 49, with 497 on board; other local men fishing about 300.—MACGREGOR.

No. 39.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 24, 1906.)

[*Answered by No. 41.*]

Government House, St. John's, December 10, 1906.

MY LORD,

I HAVE the honour to enclose herewith copy of a letter I have received from Captain Anstruther of H.M.S. "Brilliant," having reference to fishing by night, and on Sunday, in Bay of Islands; and reporting the good work done by the U.S.S.

"Potomac" in helping fishermen to recover their nets which were endangered by an unexpected severe frost.

I have communicated a copy of Captain Anstruther's letter to my Ministers.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 39.

Your Excellency, "Brilliant," at Birchy Cove, December 4, 1906.

I have the honour to inform Your Excellency that on 28th November I received a letter, signed by three fishermen, saying that Sunday fishing and night fishing were being carried on and asking me if I had any power to stop the practices. The letter did not specify by whom the fishing had been prosecuted, but I gathered that it was being done by Americans. I immediately communicated with Mr. Alexander and protested against Sunday fishing by American fishermen (if such were the fact) as being contrary to the letter and the spirit of the *Modus Vivendi*, and likely to lead to disorder. Mr. Alexander told me that he had heard that as soon as the "Potomac" quitted the fishing grounds Sunday fishing had been carried on and that he suspected the crew of one particular schooner, but though he had watched the grounds every Sunday this season, he had not seen any person fishing. He assured me also that he had warned all the American fishermen against the practice, and that they all knew it was contrary to the *Modus Vivendi*, a breach of which would involve the honour of the Gloucester Board of Trade, who had given a pledge to the United States Government that the practice should be forgone.

Shortly afterwards I proceeded in the "Brilliant" to Middle Arm to make inquiries and to watch the grounds.

No fishing went on on the Sunday—2nd December—but the men were nearly all engaged salving their nets and gear, owing to the sharp and sudden frost which had frozen over upper parts of the Goose and Penguin Arms, an occurrence which, I am told, is unprecedented at this period of the season.

The ice was from 4 to 6 inches thick and the fishermen were powerless to recover their property. The "Potomac" spent all Saturday and Sunday ice-breaking, which enabled many of the nets to be recovered, but I fear a large number will be lost. This work, though, of course, beneficial to American fishermen, was also of material assistance to Newfoundland, so I took upon myself to thank Lieutenant Hinds on behalf of the Newfoundland fishermen for his co-operation.

As regards night fishing, I told the men that that was not forbidden, but only in abeyance by mutual consent; nevertheless I should do all in my power to discourage the practice as tending to cause trouble amongst fishermen generally.

I have, &c.,
R. H. Anstruther,
Senior Naval Officer,
Newfoundland Fisheries.

His Excellency
Sir Wm. MacGregor, K.C.M.G., C.B., &c.,
Governor of Newfoundland.

No. 40.

The GOVERNOR to the SECRETARY OF STATE.

(Received 11.45 p.m., December 29, 1906.)

Telegram.

I have to-day obtained information as follows:—

(1) "Potomac" sailed for United States America, 27th December; Alexander remains at Bay of Islands.

(2) Vessels at herring fishery 27th December, 41 American ships, 9 Canadian ships, besides Newfoundland vessels.

(3) Cleared by Custom House, Bay of Islands, up to 27th December, 58,923 barrels of herring.

(4) Shipped beyond three-miles 635 men; engagement at St. Pierre, 23; at Sydney, 77.

(5) Should the weather continue favourable, prospects of herring fishery good, may be continued up to 15th January.

(6) Relations of fishermen on friendly terms.

(7) There was considerable cutting of fishing nets and gear, principally American ships, against each other, but Newfoundland fishermen have suffered from this.

(8) "Potomac" did good service Newfoundland fishermen during the ice blockade about the middle of this month in releasing fishing nets and fishing smacks when blocked by ice; "Potomac" broke the ice for fishermen without distinction (of) nationality.

(9) No more cases have been brought before Courts of Law against Newfoundland fishermen.—MacGregor.

No. 41.

The SECRETARY OF STATE to the GOVERNOR.

Sir, Downing Street, December 29, 1906.

I have the honour to acknowledge the receipt of your despatch of the 10th instant,* forwarding copy of a letter from the Officer Commanding His Majesty's ship "Brilliant," dated the 4th instant, reporting on the fishery in the Bay of Islands.

2. As regards the Sunday fishing by Americans, mentioned by Captain Anstruther, I have to state that at the beginning of this month the United States Ambassador informed the Secretary of State for Foreign Affairs that the United States Agent in Newfoundland had reported that one of the American vessels had been engaged in Sunday fishing, that an immediate investigation of the facts had been ordered, and that in the meantime the strictest injunctions against such fishing had been repeated in the proper quarter.

I have, &c.,
ELGIN.

No. 42.

ADMIRALTY to COLONIAL OFFICE.

(Received January 5, 1907.)

Sir, Admiralty, January 1, 1907.

I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Secretary of State for the Colonies, copy of letters, Nos. 87, 88, and 89, dated 13th ultimo, with enclosures, which have been received from the Senior Naval Officer, Newfoundland, relative to the winter herring fishery in Bay of Islands.

I am, &c.,
EVAN MACGREGOR.

Enclosure 1 in No. 42.

(No. 87/346.)

Sir, "Brilliant," at Birchy Cove, December 10, 1906.

I have the honour to submit the following report on the winter herring fishery in the Bay of Islands for the season 1906.

2. Herring struck in on 14th October.

3. H.M.S. "Brilliant" arrived and anchored in Birchy Cove on 19th October. I found there the United States fishery vessel "Potomac," flying the pendant of Lieutenant Hinds, U.S.N., also the Newfoundland revenue cruiser "Fiona," with Inspector O'Reilly on board.

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* No. 39.

On the way through the bay, and up the Humber Arm, I had counted 50 schooners, 9 of which, as I shortly afterwards learned from Mr. Alexander, the American Fishery Commissioner on board the "Potomac," were American.

4. I very quickly got into communication with Mr. Levi March, Stipendiary Magistrate, who put all the information he could in my possession. The position was, that since the signing of the *Modus Vivendi* by the Governments of Great Britain and the United States of America purse-seines had become legitimate instruments for taking herring on the part of American fishermen, whereas they were forbidden to Newfoundland fishermen by the Rules and Regulations respecting the Fisheries of Newfoundland. It was this state of affairs which rendered the attitude of the fishermen of the two nations towards each other somewhat strained, and trouble was expected by the local authorities.

I took immediate steps to ascertain the disposition of the Newfoundland fishermen by inviting the most influential of them to meet me in my cabin and discuss matters freely. I also found out exactly the standpoint which the Canadian fishermen took up. They one and all agreed that they wished to see purse-seining stopped, as it was likely to ruin the Bay of Islands herring fishery altogether.

After one or two interviews with Mr. Alexander, we arrived at a working arrangement which was not to be binding on the fishermen by regulation or rule but solely by mutual agreement, for the sake of peace and goodwill and the successful prosecution of the fishery.

5. In the meantime, those American schooners which had not brought full fishing-crews from Gloucester proceeded to ship local fishermen outside the three-mile limit, in accordance with the terms of the *Modus Vivendi*, which provided that such shipment should not be made the basis of interference or be penalized; and fishermen began to be very busy following the herring from Arm to Arm, though the fish were not as yet very plentiful.

6. On 2nd November a Public Notice, signed by the Minister of Marine and Fisheries, was promulgated, which quoted Sections 1 and 9 of the Bait Act of 1889. This caused considerable perplexity amongst the fishermen of both nations, as those sections of the Act seemed to prohibit what the *Modus Vivendi* allowed. Nevertheless, Newfoundland fishermen continued to ship on board American schooners, with the result that two men, who had shipped outside the three-mile limit on board the schooner "Ralph H. Hall," of Gloucester, were arrested and tried before the local magistrate for violation of the Bait Act of 1889. They were fined $500, and appealed against the sentence.

It would appear that it was in this manner that the Newfoundland Government intended to test the validity of the *Modus Vivendi* itself, as the presumption was that the case would go on to the Supreme Court and thence to the Privy Council for decision. This was to be a test case, and it was understood that arrest of all the men who had done the same thing was not in contemplation.

7. After this episode, which had caused a certain amount of consternation and excitement, the fishing proceeded very briskly and satisfactorily for the breadwinners until I left the bay on 11th December, with the exception of some loss of nets occasioned by the unexpectedly early freezing over of the Penguin and Goose Arms, and a case of theft of nets by the men of the American schooner "Colonia," which was dealt with by the Stipendiary Magistrate.

8. As regards the prosecution of the fishery itself, it is a remarkable thing that herring do not seem to have been fished for, in the Bay of Islands, until the fifties of last century.

The Bay of Islands herring undoubtedly come through the Straits of Belle Isle and arrive in the bay in October, staying there till the following June or July, when they spawn and quit the bay; it is not known for certain where they go to during the summer, presumably to the northward. I think there is no doubt that they have no connection whatever with the Bay St. George herring.

On arrival in October they cruise about the bay for a bit and finally settle in the arms. This year there have been herring in all three arms, but Middle Arm seems to be preferred first, then North Arm, lastly Humber Arm; though this last arm was formerly the favourite. The bay itself has an area of 80 square miles, and the three arms are 8½, 12, and 13 miles deep respectively.

9. It is only at the cruising period that purse-seines can be used with effect. A description of the method of using these seines is attached.

10. Gill-nets can also be used at this period, but the herring have to be followed about, which entails immense labour, weighing nets and moorings in deep water, besides covering the long distances from arm to arm.

It is in the art of setting these nets that the Newfoundlanders excel; if the nets are not set skilfully they are useless. They are set in fleets of two nets, each net varying from 16 to 22 fathoms in length and from 8 to 10 fathoms in depth, the head ropes being sunk at a depth below the surface of as much as 50 fathoms (in day time) and the moorings being in 80 to 100 fathoms or more. At night time, when the herring swim high, the nets may be only 2 fathoms below the surface. These nets cost about $30 dollars in the States, tarred and fitted, in addition to which price the Newfoundland fisherman has to pay 20 per cent. duty and the carriage, which probably brings their cost nearer $40 to him. All Newfoundland herring fishermen seem to get their nets from the States, in spite of the duty, as they are of such excellent quality.

11. There are three ways in which a man may earn money at this fishery. He may work for himself, selling his catch to local British buyers (the more prosperous men using their own schooners, their own boats, and barrelling their own herring); or he may hire himself to an American schooner; or he may hire himself to a British (*i.e.*, Canadian or Newfoundland) schooner.

Under the first method a man may make $100 dollars in the season (October, November, December, and the first few days of January) by selling to the Atlantic Fish Company, a Canadian concern, or to the "Harlaw," a steamer owned in Canada; or to the two local traders who own or charter a schooner or schooners respectively and export to the Gloucester market.

Under the second method he may make as much as $200, although naturally under a system of paying so much ($1.25 is the minimum) per barrel actually put on board, some men make more than others, either by working harder or by having more skill or more luck.

Using the third method the earnings are probably less than under the second, as it is mostly the ablest men who ship with the Americans.

It is a marvel to me how the men do the work at all in the sort of weather one gets on the west coast of Newfoundland in the winter; blow high or blow low, it makes no difference to them, in hail, sleet, frost, or snow they fish steadily on as if they were not made of flesh and blood. Ice does not daunt them, if they cannot break it up they make holes in it and shove their nets down through and fish that way. Truly they are hardy folk, and deserve every cent they get. I have seen fishing in Iceland, fishing in the North Sea, and in many other parts of the world, but if I had a grudge against a man I should send him to fish for herring in the Bay of Islands about Handsel-Monday.

12. The weather this season was rather milder and slightly less boisterous than usual up to the end of November, though the freezing over of the upper portions of the Goose and Penguin Arms so early as the 1st December was an unusual occurrence. After that, frost, snow, and gales of wind were of constant recurrence, and the weather became intensely inclement and rough, which made the hauling of nets a very arduous and bitterly cold process.

13. In the early part of the season, when the herring are caught they are measured in tubs (two to a barrel) and stowed in bulk in salt, on board the schooners, and reckoned in barrels (about 400 herring to a barrel); some few being actually barrelled when they are to be carried as upper-deck cargo. Later on in the season they are frozen on stages ashore or on board and stowed in bulk. Frozen herring are considered a great delicacy in the States, and about $2.50 per barrel is paid to the men for them, whilst as much as $6 is obtained for them in the Gloucester market.

As soon as a schooner is loaded she trips her anchor and makes sail for Gloucester. It has to be very bad weather to stop her. They usually do the distance from port to port (800 miles) in about 5 or 6 days. The record passage is 52 hours, they say.

The first schooner to sail this year was the "B. G. Anderson" (a Lunenburg schooner chartered locally). She sailed on 1st November and was ready to take in a cargo of frozen herring by 7th December. On the passage across her upper-deck cargo was washed overboard.

The larger schooners, especially the Lunenburgers, are beautiful craft of about 100 tons, carrying a working crew of six men. It is magnificent to see how their skippers handle them, and how extraordinarily well suited their rig is for the work they have to do. One would have thought that with such a large mainsail and so few hands they would be very awkward to handle before the wind in dirty weather, but it does not seem so.

14. The number of American schooners fitted out for the fishery this year was 61 (names appended) of which 4 were fitted with auxiliary gasolene engines, a short description of which is attached. These engines are undoubtedly very useful, and a comparison in the matter of expense and suitability between them and the auxiliary twin turbines fitted in some of the Scotch luggers would be of interest. Several American schooners are supplied with gasolene launches, which are a great boon to them in carrying provisions, mails, &c., when nets are set 20 miles or more from Birchy Cove (the headquarters).

15. The number of Newfoundland and Canadian schooners was about 50; at least one was fitted with auxiliary screw and motor engine, but it is hard to say how many there really are, as there is nothing to betray their presence unless one happens to see them under way in a calm. I do not know that any of them carried gasolene launches, but they would, of course, be as useful to them as to the Americans if they could afford them.

16. The season up to 11th December may be said to have been well up to the average. By that date 26 schooners had sailed with full fares, varying from 1,400 to 2,200 barrels, and there were very good prospects for the remaining part of the season, provided the weather were favourable.

17. Two American schooners were wrecked during the early part of the season. One was burnt in the early part of December. One Lunenburg schooner was wrecked about the same time.

18. In conclusion, I have great pleasure in saying that during the whole period I have not had, in my official transactions, the slightest difficulty or misunderstanding, and I do not wish to have better or more courteous colleagues than Mr. March, Mr. Alexander, and Inspector O'Reilly.

I have, &c.,
ROBERT ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

The Secretary
of the Admiralty.

SCHEDULE OF ENCLOSURES in Newfoundland letter, No. 87/346, of 10th December, 1906.

No.	Date.	From.	To.	Subject.
	1906.			
1	10th December ...	—	—	Description of use of purse-seines.
2	10th December ...	—	—	List of American schooners fitted out for winter herring fishery in Bay of Islands, 1906.
3	13th December ...	Engineer Commander "Brilliant."	Senior Naval Officer.	Description of schooner fitted with auxiliary gasolene engines.
4	9th November	Senior Naval Officer.	Governor, Newfoundland.	Progress of events in Bay of Islands.
5	12th November	Governor, Newfoundland.	Senior Naval Officer.	Reply to No. 4. Reporting that test case will be tried in Bay of Islands Court.
6	15th November	Senior Naval Officer.	Governor, Newfoundland.	Acknowledging No. 5.
7	4th December ...	Senior Naval Officer.	Governor, Newfoundland.	Night and Sunday fishing.

(1)

Purse-Seines.

In view of the attention drawn to purse-seines during the season of 1906, on account of their use by American fishermen in the Bay of Islands during the winter herring fishery, some description of these seines, and of the method of fishing with them may be of interest.

A purse-seine is of very large dimensions. The length is from 180 to 200 fathoms, and the depth from 30 to 35 fathoms (at the arms of the seine this is reduced to about 10 fathoms). The head of the seine is buoyed and the foot weighted. All round the foot at regular intervals rings are secured, and through these rings, lines, called closing lines, are passed, and are brought together at the end of the arm of the seine. The outfit is completed by a stout-built boat fitted with a small davit in the bows, and by a heavy lead weight of about 1 to 1½ cwt., which is found to be of great assistance to the fishermen in closing the foot of the seine.

The cost of a purse-seine is, of course, in proportion to its size, and varies from $1,000 to $1,500.

The method of fishing with a purse-seine is as follows:—

The presence of a shoal of herring is made known in the daytime by streams of bubbles rising to the surface above them, in the nighttime by the glitter of the phosphorescent waves just over the shoal. These are watched for from the masthead, and when seen an anchor and buoy are let go to windward of the fish, one end of the seine being made fast to the buoy. Then the boat pulls round the shoal, paying out net, and finally picks up the anchor and buoy after completing the circle.

The foot of the seine must now be closed, and the purse formed. The weight, with the closing lines attached, is hoisted to the davit and dropped overboard, the lines being rove through a block on the davit. The crew haul on the lines and the foot of the net is gathered together under the shoal of herring.

The fishermen then haul the seine and stow the fish in the ordinary manner. It takes about an hour to make a haul from first sighting a shoal.

The following are the principal advantages derived by American owners from the use of purse-seines:—

(*a*) The fish taken are said to be 20 per cent. more valuable than herring caught in gill nets, as they are free from broken gills and are not softened in the bellies.

(*b*) If the herring are plentiful immense hauls can be obtained.

(*c*) Newfoundlanders need not be employed, thus avoiding the risk of becoming involved in the dispute as to their shipment.

(*d*) Purse-seines are said, in the long run, to be more economical than gill nets, for the former can be easily repaired, but gill nets are frequently lost altogether, and in any case usually last only one season.

On the other hand the disadvantages attending the use of these seines to the fishery as a whole must be considered, and they will be found to outweigh by far any temporary benefits which may result to the users of them.

A purse-seine is a most destructive engine.

The mesh is very small, being the same size as that in a caplin seine, consequently fish great and small are taken, for all swim together, and the small herring become smothered, die, and are thrown away, thus destroying, to no purpose, countless future spawners and milters.

If a large shoal of herring are enclosed, the net is very likely to break somewhere, and a mass of smothered fish sink and foul the bottom.

If the net does not break, so many herring may be enclosed that it is impossible to deal quickly with the whole catch, and many may be smothered and become useless for export.

Purse-seines are, as a rule, worked at night, when it is most easy to discover the shoals; the net must, consequently, be cast more or less at a venture, as regards fouling any gill nets which may be set to leeward, and the huge seine drifting down-wind is bound to carry away any other nets it may happen to get foul of, thus causing perhaps much loss to other fishermen.

As soon as the herring settle into one of the arms, purse-seines are of little use, as they cannot be cast with advantage on account of the fleets of gill nets which are set in such large numbers and so close together from shore to shore.

It is also probable that when used in the outer bay they frighten herring which are entering to settle in the arms, and hence may jeopardise the success of the whole season.

Purse-seines were very little used during the past season. The American skippers fully recognise their destructive nature, and bear in mind the loss of the once lucrative mackerel fishery along the coast of the mainland, due probably entirely to the use of purse-seines.

In October and the beginning of November some 1,000 barrels of herring were obtained by them, while the fish were still in the outer waters of the bay. These herring were mostly caught by Americans who had left Gloucester with a complete outfit of seines and with full American crews, who, if they had not used their gear, would have suffered some loss.

American schooners which were enabled by the *Modus Vivendi* to ship Newfoundlanders, entirely abandoned the use of purse-seines after a short time, for they were well aware that, apart from the danger of ruining the fishery altogether, their use was most objectionable to the local fishermen, whom they are always ready to conciliate as a matter of sound policy.

ROBERT H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

(2)

American Schooners which fitted out for the Newfoundland Winter Herring Fishery of 1906.

*Edna W. Hopper
Arcadia
†Vigilant
Ingomar
Maxine Elliott
†Saladin
Norma
Annie M. Parker
Smuggler
Arabia
Dauntless
Dora A. Lawson
Alice L. Lawson
Alma Nelson
Lena
Tatler
Lotta D. Merchant
Elizabeth N. Madonna
William E. Morrise
Margaret
Athlete
A. M. Nicholson
*Louis H. Giles
†Veda McKowen
Valkyrie
Ralph L. Hall
Judique
Independent II.
Priscilla Smith
Richard Wainwright
Esperanto
Sceptre
Arkona
Nornahall
Speculator
Maud
Corona
M. B. Statson
‡Alert
Bohemia
Havannah
H. A. Nickerson
†Constellation
Senator Gardner
Oregon
Patrician
Corsair
Talisman
Avalon
Ralph W. Hodgson
Lucinda R. Lowell
Gossip
Georgie Campbell
Yukon
Colonia
Titania
Parthia
Helen M. Whitten
Maggie and May
Blanche
J. J. Flaherty

(3)

SIR, "Brilliant," at St. John's, December 13, 1906.

IN accordance with your order, I have the honour to report that I visited the schooner "Vigilant" at Birchy Cove, Bay of Islands, and ascertained that she was fitted with twin screws, driven by two sets of 4-cylinder gasolene engines, the diameter of cylinder being 7 in., with a stroke of 6 in. in length, revolution 300 per minute; the horse-power of each set of engines being given to me as 25. The twin screws were fitted as an experiment by Messrs. Murray and Tergotha, of 1st Street, between E. and F., South Boston, as by fitting a single screw and shaft the construction of the after part of the ship would have to be very considerably altered.

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* Wrecked. † Fitted with gasolene motor. ‡ Burnt.

The dimensions of the "Vigilant" are as follows:—

Length 87 ft.; breadth 22.5 ft.; tonnage 56 tons, net, 92 tons gross.

She is capable of steaming at 7 knots per hour, the consumption of gasolene at that speed being 5 to 6 gallons per hour. Stowage of gasolene 1,400 gallons, in two copper tanks, situated one above each set of engines.

The cost of each set of engines was $1,400. The total cost of fitting engines, storage tanks, propellers, shafts, &c., was $4,000.

Gasolene is obtained by the "Vigilant" from Boston at 12 cents per gallon.

I was also given to understand that there are schooners of from 20 to 30 tons displacement fitted at Boston with a single screw, driven by a set of engines developing 25 h.p., at 6 knots per hour.

I have, &c.,
ARTHUR C. DARLEY,
Engineer Commander.

Captain R. H. Anstruther, R.N.,
H.M.S. "Brilliant."

(4.)

YOUR EXCELLENCY, "Brilliant," at Birchy Cove, November 9, 1906.

I HAVE the honour to inform Your Excellency that I received a telegram from the Lords Commissioners of the Admiralty yesterday, despatched on receipt of my letter of 25th October, of which I had the honour to send a copy to Your Excellency, ordering me to keep their Lordships and Your Excellency informed with regard to any action desirable for preservation of peace and order between American and Newfoundland fishermen.

2. As all my actions since I have been here have been with that object in view, I beg to summarise, for Your Excellency's information, what I have done since 25th October.

Although I have not been able to get Mr. Alexander's signature to the arrangement which we drafted together, on account of the difficulty of communicating with all the agents of the firms concerned, yet he has assured me that no more purse seining will take place inside the Heads unless circumstances alter, and that none has, in fact, taken place since our previous interview.

As he foresaw, several more American schooners have arrived, furnished with purse seines, and manned by Gloucester crews, who are not as yet prepared to bind themselves by any arrangement which might hinder the success of their season; they wish to keep their liberty to use purse seines though up to the present they have not actually used them as far as I know.

3. There has been considerable movement of schooners and boats as the season gets into full swing, but the hauls up to the present have been only moderate. There is a fairly good show of herring in all three arms, but they have not definitely settled in yet.

4. I had an interview with Inspector O'Reilly of the "Fiona" on her arrival. He did not inform me of any untoward occurrences, and gave it as his opinion that as long as a British man-of-war was here, there would be no trouble.

5. On the 31st ultimo, the "Potomac" sailed for Sydney to coal. She returned to Birchy Cove on 8th instant.

6. Two schooners have sailed with full fares, one American and one locally owned or rather chartered.

7. On 3rd November, the Magistrate came on board and showed me a public notice quoting sections of an Act "Of Exportation and Sale of Bait Fishes," which had just been promulgated. He said that after the issue of the notice, the Newfoundland Government intended to take legal proceedings against Newfoundland fishermen who shipped on board American schooners, so as to test the validity of that portion of the *Modus Vivendi* which says that "The shipment of Newfoundlanders by American fishermen outside the three-mile limit is not to be made the basis of interference or to be penalised." He also gave me to understand that the view of the Newfoundland Government is that the Imperial Government had trenched upon

the rights of Newfoundland by agreeing, in the *Modus Vivendi*, that certain portions of the Act of 1905 "will not be regarded as applying to American fishing vessels," and that this public notice is specially designed to bring matters to an issue.

8. On 5th November two American skippers, and three Newfoundland fishermen, came on board to ask me to tell them how matters stood, as the Newfoundland men were afraid to fulfil their engagement to ship.

I read to them the *Modus Vivendi*, giving them in writing that portion which deals with the shipment of Newfoundland fishermen by American schooners. I also read to them certain other portions of the Bait Act of 1889 as well as the first part of the Treaty of 1818.

On 6th November another American skipper came on board to complain that he could not get a crew, and to ask what was, or was not, permitted. I read to him the *Modus Vivendi*, and also gave him a copy of it as I received it from the Lords Commissioners of the Admiralty.

9. On 7th November I sent to Wood's Island, and having had other enquiries of the same nature, I gave every fisherman of either nationality who asked for it a copy of the same document, thinking that if the information became general as to what might or might not be done under the agreement between His Majesty's Ministers and the United States of America, it would tend towards the preservation of peace and order between American and Newfoundland fishermen.

10. There have been one or two complaints as to fouling and cutting and robbing nets which the Stipendiary Magistrate is about to deal with in the ordinary course.

11. I have issued to fishermen generally extracts from the Rules and Regulations for Newfoundland Fisheries, with a view to preventing any more such cases.

I have, &c.,
R. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

His Excellency Sir William MacGregor, K.C.M.G., C.B., M.D.,
Governor and Commander-in-Chief,
Newfoundland.

(5.)

Government House, St. John's, Newfoundland,
November 12, 1906.

SIR,

I HAVE the honour to inform you that I have received your letter of the 9th instant, and that I shall without delay transmit a copy of it to my Ministers for their information. A copy of it will also be sent to the Right Honourable the Secretary of State for the Colonies by the first mail.

2. I am informed by His Majesty's Attorney-General that a case will be at once entered in the Magistrate's Court at Bay of Islands against some one of our fishermen that has engaged himself to an American master, and is now fishing for such. This is to be made a test case.

3. The presumption is that this test case will later on come before the Supreme Court on appeal, should a conviction be obtained in the lower Court. It is not to be expected that the Supreme Court could dispose of the case during the currency of the present fishing season. You will, of course, be able to learn on the spot the result of the proceedings in the local Court.

I have, &c.,
WM. MACGREGOR.

Captain R. H. Anstruther, R.N.,
H.M.S. "Brilliant," Birchy Cove,
Bay of Islands.

(6.)

YOUR EXCELLENCY, "Brilliant," at Birchy Cove, November 15, 1906.

I HAVE the honour to acknowledge receipt of your letter of 12th instant, informing me that a test case will be entered in the Magistrate's Court at Bay of Islands against some one of the Newfoundland fishermen that has engaged himself to an American master, and is now fishing for such.

I have, &c.,
R. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

His Excellency Sir William MacGregor, K.C.M.G., C.B., M.D.,
Governor and Commander-in-Chief,
Newfoundland.

(7.)

YOUR EXCELLENCY, "Brilliant," at Birchy Cove, December 4, 1906.

I HAVE the honour to inform Your Excellency that on 28th November I received a letter signed by three fishermen, saying that Sunday fishing and night fishing were being carried on, and asking me if I had any power to stop the practices. The letter did not specify by whom the fishing had been prosecuted, but I gathered that it was being done by Americans. I immediately communicated with Mr. Alexander, and protested against Sunday fishing by American fishermen (if such were the fact) as being contrary to the letter and the spirit of the *Modus Vivendi*, and likely to lead to disorder. Mr. Alexander told me that he had heard that as soon as the "Potomac" quitted the fishing grounds, Sunday fishing had been carried on, and that he suspected the crew of one particular schooner, but though he had watched the grounds every Sunday this season, he had not seen any person fishing. He assured me also that he had warned all the American fishermen against the practice, and that they all knew it was contrary to the *Modus Vivendi*, a breach of which would involve the honour of the Gloucester Board of Trade, who had given a pledge to the United States Government that the practice should be forgone.

Shortly afterwards I proceeded in the "Brilliant" to Middle Arm to make enquiries, and to watch the ground.

No fishing went on on the Sunday, 2nd December, but the men were nearly all engaged salving their nets and gear, owing to the sharp and sudden frost which had frozen over the upper parts of the Goose and Penguin Arms, an occurrence which I am told is unprecedented at this period of the season.

The ice was from four to six inches thick, and the fishermen were powerless to recover their property. The "Potomac" spent all Saturday and Sunday ice breaking, which enabled many of the nets to be recovered, but I fear a large number will be lost. This work, though, of course, beneficial to American fishermen, was also of material assistance to Newfoundland fishermen, so I took upon myself to thank Lieutenant Hinds, on behalf of the Newfoundland fishermen, for his co-operation.

As regards night fishing, I told the men that that was not forbidden, but only in abeyance by mutual consent; nevertheless I should do all in my power to discourage the practice, as tending to cause trouble among fishermen generally.

I have, &c.,
R. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

His Excellency Sir William MacGregor, K.C.M.G., C.B., M.D.,
Governor and Commander-in-Chief,
Newfoundland.

Enclosure 2 in No. 42.

NOTES ON THE NEWFOUNDLAND WINTER HERRING FISHERY.

(No. 88/346.)

"Brilliant," at Birchy Cove, December 10, 1906.

IN considering the question of this fishery, it appears to me that there are six distinct standpoints from which it can be viewed:—

1st. That of the Newfoundland fishermen.
2nd. That of the American fishermen.
3rd. That of the Canadian fishermen and fish merchants.
4th. That of the Newfoundland Government.
5th. That of the United States Government.
6th. That of the British Government.

Taking the first three together, I find that the Newfoundland men were quite satisfied with the system which obtained till the beginning of last year, under which they caught herring with their own appliances, and sold them to whomsoever they chose. Since they have been forbidden to sell them to Americans, some of them sell to Canadians, or to local buyers, as they may have done before, whilst others, determined to work for their old comrades—the Americans—shipped on board American schooners in spite of all obstacles, and followed their calling in, virtually, the same manner as they had always been accustomed to; their contention being, in the first place, that the Canadians and others could not take all the herring, and that, therefore, this was the only means left to them of making a living; in the second place, that they had always been in the habit of working with Americans, and that they did not see why they should not continue to do so, if they wished to.

There are about 1,200 fishermen belonging to Bay of Islands and Bonne Bay, besides a few who come from neighbouring places on the West Coast, and from other parts of the Island to engage in this lucrative industry. About half these men prefer to work with, or for, Americans, one reason being that whereas, formerly, herring fishers worked under a system of barter (as cod fishers do to this day), the Americans were the first to inaugurate a system of payment cash down, which compelled everyone else who wished to compete to follow suit. This influx of ready money engendered a sense of freedom and a spirit of independence amongst the herring fishers such as can never be felt by men working under a truck system. The men are grateful for this emancipation from former conditions, they are loth to lose the benefits they have gained, and they would risk anything to avoid a return to the old régime.

Another reason is that the Americans are very free-handed in their dealings with the men, and sometimes spontaneously raise the price to be given per barrel without any demand from the men at all, thus keeping up a wholesome spirit of competition against each other, and against rival buyers, which is all to the pecuniary advantage of the local fishermen.

Finally, the Americans are credited with feeding their men better.

These are all reasons which have been given me by fishermen themselves.

Now, looking at it particularly from the point of view of the American fishermen.

As matters stand he has Treaty Rights over which disputes frequently arise, causing him trouble and anxiety about the success of his voyage.

In fitting out for the winter season he has three alternatives: he may (1) ship a full American crew in Gloucester; (2) ship a Newfoundland fishing crew on the mainland; (3) ship Newfoundlanders outside the three-mile limit.

If he ships an American fishing crew in Gloucester, and fishes without any Newfoundland men, he may get along all right, but the cost is very heavy, and the men are not so expert in the use of gill nets as the Newfoundlanders.

If he ships Newfoundland men in Gloucester or Sydney, the cost of getting them there has to be considered as well as the difficulty of the transport of the necessary boats, &c., in addition to the other incidental expenses.

If he ships Newfoundlanders outside the three-mile limit, to avoid this expense and difficulty, he causes annoyance to the Colonial Government, and a great deal of trouble to himself.

One would think that he would, on the whole, prefer to buy herring direct from the Newfoundland men, as he used to do, and as he would be able to do again under the Bond-Hay Convention, because it probably costs him more to obtain the herring by hired labour than it would to buy them.

For example, an outfit of nets costs quite $1,200; besides this he has to keep and pay from 30 to 40 men at a minimum rate per barrel of $1.25; so that for a full fare of 2,000 barrels he has to disperse a good round sum, roughly $2,500. Now, supposing he gets $4.25 per barrel (a normal price) from the smoker at Gloucester, *i.e.*, $8,500 for the cargo, he ought to make it pay well, but it would pay him just as well, and better, if he bought his herring direct from Newfoundlanders, because he would, at any rate, save himself the value of the nets.

Consequently, a settlement on the lines of the Bond-Hay Convention would seem to me to be to the advantage of the American fishermen.

As to the Newfoundland fisherman, he would welcome any settlement which would enable him to earn his livelihood in peace and quietness, without the risk of going outside the three-mile limit in a frail dory, or the fear of being punished for law breaking if he adopts the method of making his living which he thinks to be the most advantageous.

In addition to this there is the Canadian standpoint.

Canadians do not fish for themselves, but buy herring and export them to Halifax and other Nova Scotian ports. Some Canadian schooners work independently, some work for the Atlantic Fish Company. This Company has built an establishment at Benoit's Cove, Bay of Islands, to which they hope gradually to attract the main portion, if not the whole, of the herring export trade from Bay of Islands, and eventually to cure and smoke their herring themselves, so as to export all over the world and rival Gloucester as a fish market.

So, it is obvious, that Canadians have a distinct interest in the ultimate preservation of this fishery.

Beyond these Canadians and the Americans, there is, as far as I know, no other means by which a Bay of Islands fisherman can dispose of his herring except to one or two local traders, who export to Gloucester, and to a coasting steamer which calls fortnightly and collects barrels of herring which she takes to Halifax.

Hence, there is, to my mind, as much to be said for the attitude of those Newfoundlanders who insist upon working for Americans as for those who do not, yet no apparent reason why the American fishermen themselves should object to the Bond-Hay Convention.

I found that the conditions of that Convention were very vaguely known either to Newfoundlanders or to Americans, so I sent copies of it to several Newfoundland fishermen of my acquaintance, some of whom were working on board American schooners, thinking that, as it appears to offer a solution advantageous to both, friendly discussion of its terms could do no harm.

There remain the 4th, 5th, and 6th points of view, about which it would be presumption on my part to say much, but I venture to hazard the opinion that it would seem that if the Bond-Hay Convention were to come into force, there would probably be no further trouble. Whether it has got a better chance of getting through the Senate now than it had two or three years ago is hard to say, but I think the Gloucester men recognise that it is of the utmost importance to them to get the herring, and that it pays best to buy them direct. I believe that their chief objection to that Convention is the fear that, under it, Canadians might succeed in getting their fish into the American market under the cloak of Newfoundland, and that, as Canadians pay lower wages to their crews, and build their schooners more cheaply, the Gloucester men would not be able to compete against them. Article 3 of the Convention ought to be a sufficient safeguard against such a thing.

Failing the Bond-Hay Convention, some other solution of the question will, no doubt, be found; but whatever it may be, I confess to feeling that it would be preferable if Newfoundland men were allowed to ship from the mainland, rather than just outside the Bay, as the practice is galling to the local authorities, and very dangerous to the fishermen in bad weather.

If American skippers could thus be sure of getting Newfoundland fishing crews there would no longer, I imagine, be any question of using purse seines, which are very expensive, and not very much use, except just when the herring are cruising in the Bay preparatory to settling into one of the Arms. In this way the most serious danger of disturbance amongst the fishermen would be removed, and the damaging effect of those engines on the fishery as a whole would be got rid of.

ROBERT H. ANSTRUTHER,
Captain and Senior Naval Officer,
Newfoundland Fisheries.

Enclosure 3 in No. 42.

(No. 89/346.)

SIR, "Brilliant," at St. John's, December 13, 1906.

IN continuation of my letter, No. 83/346, of 3rd December, 1906, I have the honour to report that since that date everything has been most quiet, and nothing has interfered with the fishery, except the weather; and beyond a case of theft of nets by men working on board the American schooner "Colonia," with which the Stipendiary Magistrate dealt, there have been no complaints.

2. On 6th December the "Potomac" sailed for coal, she having expended an unexpected amount ice breaking in the Goose and Penguin Arms.

3. During the middle watch of 9th-10th December, ice began to form all round this ship, so in accordance with my instructions I weighed the next forenoon, and proceeded out of the Humber Arm, anchoring in York Harbour to adjust the low pressure crosshead, and for the weather to moderate. I left the Bay the following morning at daylight, and arrived at St. John's at 7.30 a.m., on 13th December.

I have, &c.,
R. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

The Secretary of the Admiralty.

No. 43.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received January 22, 1907.)

MY LORD, Government House, St. John's, January 12, 1907.

I HAVE the honour to enclose herewith, for your information, copy of a letter I have received from the Attorney-General, Sir Edward Morris, covering copies of the summons issued by Mr. Magistrate March against the fishermen Dubois and Crane; of the Minutes of Evidence taken by the Magistrate; and of the Notice of Appeal.

2. It will be noticed that at present the matter stands adjourned *sine die.*

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 43.

Attorney-General's Office, St. John's,
SIR, Newfoundland, January 11, 1907.

IN accordance with my promise of yesterday, I beg to make the following report, for your information, of the proceedings in the case of the Complaint of Joseph O'Reilly, Fishery Commissioner, against Alexander Dubois and George Crane, convicted of selling herring without a licence at Bay of Islands in the month of November last. As you may not have them at hand I enclose you :—

1. Copy of the summons issued by the Magistrate, bearing date 15th November, 1906.
2. Minutes of the evidence taken by the Magistrate and the conviction.
3. Notice of Appeal.

The appeal came on for hearing on Tuesday last, January 8th, before the full Court. Mr. Howley acted as solicitor and counsel for the appellants, Dubois and Crane. Mr. Kent, who had charge of the prosecution at Bay of Islands on behalf of the Crown, and myself appeared in support of the conviction. Mr. Howley contended that the act of his clients was covered by the Treaty of 1818; that the vessel on board which the defendants were serving at the time of the conviction was an American vessel fishing under the Treaty of 1818, and was specially exempted under the Bait Act, that is, Chapter 129 of the Consolidated Statutes, Second Series, by Section 22; that these men were there as servants of the Master of the ship who has a treaty right, and on the maxim *qui facit per alium facit per se* (who does through another does through himself), the defendants were exempted from the provisions of the Bait Act; that they had a right to ship as servants. He further went on to point out that in the prosecution at Bay of Islands Mr. Kent had claimed that the Treaty only applied to the outer coast and not to the bays, harbours and creeks, and that the vessel had no right to fish at the point where the defendants were found to be fishing; that the illegal action was the putting bait on board of a vessel having no Treaty rights; that the Government of the day themselves had placed this construction on the Bait Act by the passing of the Foreign Fishing Vessels Acts of 1905 and 1906; that it was quite true that the rights conveyed were to the inhabitants of the United States; that the word "inhabitant" covered their servants; that the right to fish carried with it all the incidents necessary to exercise it, such as hiring crews, &c., &c.; that the defendants had lawfully shipped on board the schooner, and by their shipping became inhabitants of the United States. Mr. Howley admitted that there was no exact evidence as to the nature of the hiring or of the agreement or shipping paper which the men had signed; but claimed that they had signed some articles or some paper, and by that signing they became inhabitants of the United States; but he went on further, and claimed that even if they had not signed, that as servants of those who had the right they were acting lawfully in doing what they had done, and did not come under the provisions of the Bait Act. Mr. Howley admitted that it would have been wrong for the defendants to have taken the bait for themselves or to supply to any parties not having rights under the Treaty; but that by becoming servants of an inhabitant of the United States they made that lawful which would otherwise be unlawful. The defendants were not acting individually; they were the instruments by which Captain Hall exercised his Treaty rights.

At this stage of the proceedings, and before those supporting the prosecution had an opportunity of replying, Mr. Howley asked for a postponement in order to take evidence as to the nature of the agreement under which the defendants signed and were servants at the time they were summoned. The Court permitted Mr. Howley to renew his application, and the matter was adjourned *sine die.*

I have, &c.,
E. P. MORRIS,
His Majesty's Attorney-General.

His Excellency
Sir William MacGregor, M.D., K.C.M.G., C.B.,
Governor.

NEWFOUNDLAND.

Southern District,
Bay of Islands,
To Wit:

To Alexander Dubois, and George Crane, both of Wood's Island, hereafter called the defendant, Greeting: Upon the complaint of Joseph O'Reilly, Commissioner under Exportation, Sale, &c., Bait Fishes Act, hereafter called the complainant, you are hereby required to appear in your proper person before the undersigned Stipendiary Magistrate, at the Court House, Bay of Islands, on Friday, the 16th day of November, by ten of the clock in the forenoon of the same day to answer the said complaint, for that you, the said defendant, at Wood's Island, on the 12th day of November, 1906, did unlawfully put on board the schooner "Ralph L.

Hall," of Gloucester, Mass., in the United States of America, a quantity of bait fishes, to wit, a barrel of herring, without a licence for that purpose, contrary to the provisions of the Consolidated Statutes (Second Series), Chapter 129, entitled "Of the Exportation, Sale, &c. Bait Fishes."

Dated at Bay of Islands this 15th day of November, 1906.

LEVI MARCH,
Stipendiary Magistrate.

NEWFOUNDLAND.

Southern District,
Bay of Islands,
To Wit:

Police Court opened at Bay of Islands, November 16th, at 10.30 a.m.

Joseph O'Reilly, Commissioner, Plaintiff.
Alexander Dubois and George Crane, Defendants.

CAUSE OF ACTION.

Violation of the Consolidated Statutes (Second Series), Chapter 129, entitled of Exportation, Sale, &c. of Bait Fishes, contrary to the said Act.

Alexander Dubois and George Crane pleaded not guilty, through their attorney, Wm. R. Howley, who stated that this Court had no jurisdiction to hear the alleged offence.

James M. Kent, solicitor for the complainant, on the charge for putting herring on board the schooner "Ralph L. Hall," called Joseph O'Reilly, complainant, sworn, who saith:—

I am the complainant in this case, under the Bait Act. I remember Monday, the 12th day of November. I was at Wood's Island on the S.S. "Fiona." The schooner "Ralph L. Hall" was there at anchor in the roadstead or harbour. I saw one the defendants on the deck of the schooner "Ralph L. Hall" and the other was in the dory alongside the schooner. He was dipping up the herring from the dory and passing them into a tub on the deck of the schooner. They had two tubs and a part of a third tub, which was capsized on the deck of the schooner "Ralph L. Hall." The same evening I went on board the schooner about 4.30 p.m. I saw Captain Hall, of the schooner, and a number of fishermen who were with the defendants. I had some talk with them (the fishermen), and asked them in general whether they had a licence to put herring on board the schooner, they said no. Since then I had a conversation with the defendants, Dubois and Crane, who told me that they did put on board the schooner "Ralph L. Hall," on Monday, a barrel of herring, and they had been fishing two or three days, and had put on board the schooner three or four barrels while she was at Wood's Island. The defendants both belong to Wood's Island. They said they had no licence. A public notice was issued by the Marine and Fisheries Department in reference to the enforcement of the Bait Act on October 31st, and posted up at the Court House and other public places about Bay of Islands. This notice (marked "A") was produced and put in and admitted by Mr. Howley.

Timothy Costello, witness for plaintiff, sworn, who saith:—

I saw the defendants, Dubois and Crane, on Monday morning, 12th of November, rowing a dory by Wood's Island and going towards the schooner "Ralph L. Hall." The two defendants were in the dory when it reached the schooner. One remained in the dory the other on the deck of the schooner. I was on the bridge of the S.S. "Fiona" at the time. I saw herring while they were going on board the schooner, or being put on board. (2) tubs and a part of another tub. The distance from the shore to the island would be about a quarter of a mile. I went on board the schooner "Ralph L. Hall" in company with Inspector O'Reilly; we went to the cabin of the schooner and were talking with Captain Hall and Captain Greenby. Mr. O'Reilly told the men that there would be a summons issued for violating the Bait Act.

William R. Howley, solicitor for the defendants :—

In (A.) The schooner "Ralph L. Hall" belongs to Gloucester, Mass.

Wood's Island is in the Humber Arm.

James Collins, witness for the plaintiff, sworn, who saith :—

I am tide waiter on the S.S. "Fiona." I know the defendants. I was on the bridge of the S.S. "Fiona" on Monday morning. The defendants were there in their dory, rowing up towards the schooner "Ralph L. Hall." They went on board, one man remained in the dory the other got on the deck. One dipped up the herring and handed to the other on the deck. They put on board three tubs. I saw the herring.

Mr. Howley, solicitor for defendants :—

(A.) I was on the S.S. "Fiona." My orders are to be on the watch. I was watching to see if any men would put herring on board the schooner "Ralph L. Hall." I had a spy-glass. I was about two hundred yards from the schooner "Ralph L. Hall." We were all of us looking at the defendants putting herring on board the schooner. Inspector O'Reilly, Mr. Costello, Mr. Crane, and myself. I am paid by the Newfoundland Government for my services. Mr. Kent produced notice to produce licence, when Mr. Howley for defendants said he admitted the defendants had no licence.

Mr. Howley, solicitor for the defendants Crane and Dubois, stated, that in presenting the defence he would be short, and submitted that his clients were shipped on board of an American vessel outside the three-mile limit, and were American subjects, if not they were American servants.

George Crane, defendant, sworn, who saith :—

My occupation, fisherman. I was fishing this week for Captain Hall, who is master of the schooner "Ralph L. Hall." I was shipped on the vessel yesterday week, 8th November, outside the three-mile limit. I was catching herring at Wood's Island on Monday for Captain Hall.

James M. Kent, solicitor for plaintiff :—

(A.) I went outside the three-mile limit. I went in the schooner "Lucy," Captain Henry Green, of Burin. I went out with Captain Green to ship on the schooner "Ralph L. Hall," which went out ahead of us.

Wm. R. Howley, for defendants, here objected to the evidence, he states not

I was engaged with Captain Hall at Wood's Island, later on I went on board the schooner "Lucy," to go outside. Captain Hall engaged me at Wood's Island by verbal agreement. The price of herring to be $1 per barrel. Captain Hall to provide boat, and furnish me with nets, and if the nets were lost I had to pay for them. I was fishing around Wood's Island.

Alexander Dubois, defendant, sworn, who saith :—

I am a fisherman. On Monday, the 12th November, I was fishing for Captain Hall, of the schooner "Ralph L. Hall." I was shipped to Captain Hall outside the three-mile limit. When I was fishing and putting herring on board the schooner "Ralph L .Hall." I was shipped.

Examined by plaintiff's solicitor :—

(A.) I was to get a dollar a barrel. Captain Hall to find the gear. I made the engagement at Wood's Island with Captain Hall and went outside to ship and sign the agreement.

Wm. R. Howley, solicitor for defendants, asked that the case be dismissed on the grounds that they did not violate the Act, Chap. 129, C.S., as expressed with its saving clause. These men being exempt, being the servants of an American captain under the Stars and Stripes, and submitted that the Bait Act does not apply to American subjects, and that this Court had no jurisdiction to hear and determine this case.

The point at issue: Did the defendants, Alexander Dubois and George Crane violate the Consolidated Statutes (Second Series), Chap. 129, entitled Of Exportation, Sale, &c., Bait Fishes, first section, sub-section 5. I consider this Act to be in full force. The material facts in the evidence for the plaintiff prove conclusively that they did, which has been borne out by the evidence of the defendants. Therefore it leaves no option for the presiding Magistrate but to convict the said defendants, Alexander Dubois and George Crane, for a violation of the said Act, with the following penalty, that is to say :—

Each said defendant to pay a fine of $500.00, and failing to pay said fine to be committed to His Majesty's gaol at Bay of Islands for the space of three months.

Given under my hand and seal at Bay of Islands this 16th day of November, A.D. 1906.

Levi March,
Stipendiary Magistrate.

At the close :—

Wm. R. Howley, solicitor for defendants, gave notice of his intention to appeal against the decision of the Court.

L. March,
Stipendiary Magistrate.

In the Magistrate's Court,
holden at Bay of Islands.

Between Joseph O'Reilly, plaintiff, and George Crane and Alexander Dubois, defendant.

Notice of Appeal.

Take notice that we, George Crane and Alexander Dubois, the above-named defendants, feeling aggrieved with the determination of Levi March, Esquire, the Magistrate of this Court, upon the trial of this cause in point of law, do intend to appeal against the same to His Majesty's Supreme Court of Newfoundland at the next sittings thereof, holden in St. John's. And further take notice that the following are the grounds of such appeal, viz. :—

(1) That the finding was in derogation of Treaty rights.

(2) That the said Magistrate has no jurisdiction herein.

Dated this 16th day of November, A.D. 1906.

George Crane, and
Alexander Dubois,
by their Solicitor,
Wm. R. Howley.

To Levi March, Esq.,
Stipendiary Magistrate,
at Bay of Islands.

No. 44.

ADMIRALTY to COLONIAL OFFICE.

(Received January 30, 1907.)

Sir,

Admiralty, January 28, 1907.

I am commanded by my Lords Commissioners of the Admiralty to transmit herewith, for the information of the Earl of Elgin, copy of a letter, dated 9th January, 1907, which has been received from the Senior Naval Officer, Newfoundland Fisheries, relative to proceedings since leaving Bay of Islands for St. John's. A copy has also been forwarded to the Foreign Office.

I am, &c.,
EVAN MacGREGOR.

Enclosure in No. 44.

Sir,

"Brilliant," at St. John's, January 9, 1907.

I have the honour to report that in compliance with my orders I left Bay of Islands as soon as the ice formed, and proceeded to St. John's, arriving there on the 14th December. Having completed with coal, and taken on board certain surplus stores from H.M.S. "Calypso" for conveyance to Bermuda, I awaited orders in accordance with Admiralty telegram No. 18, received on the 14th December.

2. From information received from Bay of Islands it would appear that the Humber Arm was frozen over by 14th December to as far as eight miles below

Birchy Cove, and that accidents had happened to some of the small steamers which got caught in it.

3. In consequence of Admiralty telegram, No. 20, received on 27th December, I despatched a Lieutenant by rail to Birchy Cove to obtain the necessary information on the spot, as I considered that a cheaper, quicker, and more certain way than taking the ship round, and it avoided any possibility of the ship being caught in the ice in case of one of the sudden changes in the weather so common on these coasts.

4. After the first frost a thaw set in about Christmas time, which lasted into the new year, and the Humber Arm became once more free of ice.

5. The weather continued very changeable until the 7th January, when Lieutenant Carter returned from Bay of Islands, and made a report, the substance of which is contained in the attached document.

I have, &c.,
ROBT. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries

The Secretary of the Admiralty.

SUPPLEMENT to my Report on the Winter Herring Fishery in the Bay of Islands, 1906-1907.

After the "Brilliant" left on 11th December, the weather at Bay of Islands was variable, thaw following on the first severe frost, and, the frozen herring industry thus being much delayed, matters at one time wore a gloomy aspect, but notwithstanding doleful prognostications, the catch to 1st January was in excess of that in 1905, and there were on the scaffolds as many herring as the schooners could deal with. The general opinion seemed to be that there has never been a better season.

2. Twenty-seven American vessels have sailed from Bay of Islands, taking a total of about 40,000 barrels. Fifteen others are nearly loaded, and may be expected to leave before 10th January. Three are making their second trip.

About twenty vessels, Canadian-owned, and six locally-chartered schooners have sailed with full fares.

3. The "Potomac," during the severe frosts, did very good work in breaking the ice in the Arms, and in freeing schooners and nets. She left for Bonne Bay to coal on 20th December. On 27th December she left Bay of Islands, leaving Mr. Alexander at Birchy Cove.

4. The Atlantic Fish Company insist that Canadians can take all the herring which can be supplied to them by the fishermen in the Bay of Islands, and that wages will be as high as at present. Up to 1st January this Company had cleared five vessels, or about 6,800 barrels.

5. The total number of American schooners engaged in the fishery has risen to 65. Two more have been burnt.

6. The total number of Newfoundlanders shipped outside the three-mile limit was 635; about 250 more were shipped at Sydney and other ports.

7. The want of hospital accommodation at Bay of Islands was very much felt, one case having had to be sent to Battle, on the Labrador Coast.

I have, &c.,
ROBT. H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

The Secretary of the Admiralty.

No. 45.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received February 4, 1907.)

MY LORD, Government House, St. John's, January 21, 1907.

I HAVE the honour to enclose with this, for your information, an extract from the "Evening Telegram," of St. John's, of the 14th instant, containing a letter, written by Archbishop Howley of this city, on the subject of the American fishing rights on the coast of this island.

The object of the Archbishop is to incite the other Colonies of the Empire to bring pressure to bear on His Majesty's Government in this matter.

The question is represented as "a life and death" interest of this Colony. His Grace does not seem to be aware of the fact that the total export of herring last year was only of the value of $344,205, thus representing 2·7 per cent. of the total exports of the Colony. In truth, by far the greater portion of the herring passes through the hands of our own fishermen. It is, of course, very much to be desired that the whole fishery should be obtained for them exclusively, and I am heartily at one with the Archbishop in desiring that solution, should it be found by His Majesty's Government to be practicable.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 45.

"The Evening Telegram of St. John's," January 14, 1907.

The Coming Crisis.

His Grace Archbishop Howley calls for a United Front on the Fishery Dispute with America.

Editor, "Evening Telegram."

Mr. Editor,—No one who has read the correspondence lately published concerning the American Fishing Dispute, or who has given any serious thought to the matter, can have failed to notice the very overbearing attitude taken by the United States, and the extravagant nature of the claims put forward by them.

Taking all this into account, and understanding that negotiations are about to be entered into immediately, if they are not actually now in course of progress, and knowing the temper of mind that exists at Washington, it cannot be doubted for a moment that Newfoundland is on the brink of the greatest crisis that has ever occurred in her history; a crisis on the outcome of which depends her future life as a country and a people.

Surely it is not too much to expect that in this great crisis all personal differences and political bickerings should for the moment be laid aside; and all who behold the bright sky over our country, all who breathe her pure and free air, who live on the fat of her ribs, should unite and put shoulder to shoulder to meet our common enemy. There will be time enough by and by when the victory is won to fight our local battles. But one thing is certain, and that is that our future life as a nation and a country depends now on our showing a united front without one breach to our enemy. Nay, more! Even with an unbroken unanimity of tongue and voice and heart such as I hope to see in this great crisis, we cannot expect to win unless we secure the active sympathy and support of our fellow-subjects in the British Colonies all over the world.

A short time ago I wrote a letter begging of my fellow-countrymen of all classes and sentiments to unite in this life-and-death-struggle. Unfortunately my words did not then prevail, feeling ran too high at that time, but it is not I trust too late now to hope for unity of mind and action. The extreme tension of feeling which then existed has relaxed, and we can now look more calmly on the state of the question and take a more reasonable and impartial view. I said in the letter alluded to that the splendid unanimity of action shown by our people at that time (1857) caused the complete "back-down" of the Colonial Secretary Labouchere and the overthrow of Convention which had been signed without the consent of the Newfoundland Legislature. But the unanimity of the whole people of Newfoundland, strong and noble as it was, was not the only force that helped to secure the victory; and of itself it would not have been sufficient, had we not been supported and sustained by "the united voice of the Colonies of British North America." I would ask leave now to treat a little more at length this point which I merely alluded to in my letter of October last.

I there stated that "The House of Assembly appointed (on March 4th, 1857) Hon. John Kent, Colonial Secretary, and F. B. T. Carter, Esq., as a delegation to proceed to the neighbouring Colonies (this was before the formation of the Confederated Dominion of Canada) to enlist their sympathies in our cause. A tremendous wave of enthusiasm spread like a conflagration over the whole Island; meetings were held in all the principal outports, and addresses and resolutions of adherence and sympathy were sent into the Legislature. In St. John's the flags on all the shipping were flown half mast and with Union down. A great public meeting was held at the Colonial Building. Resolutions were passed stating that the country "will never consent to sanction the Convention." An impassioned address was made by the Speaker of the House, Hon. Ambrose Shea, in which he appealed to the British North American Colonies to lend us their sympathy and support. The Governor for the time being, Sir Charles Darling, nobly defended the Colony's cause. He sent a powerful despatch to the Secretary for the Colonies, known in our Annals as "The 66th Despatch." The predominant note of the debates was an appeal to the neighbouring Colonies to help us in our trouble. Thus the Hon. John Kent, Premier, said in the House of Assembly, "We must appeal to the neighbouring Colonies for co-operation and assistance. . . . . He was sure our appeal would be received with a unanimous shout of approval. He believed also that the present question would revive "the agitation for a Federal Union" between the British American Colonies. "The Maritime Provinces," he continued, "of New Brunswick, Nova Scotia, and Prince Edward Island will join their voices with ours in favour of this Union, &c., &c."

The Provinces above mentioned responded nobly to this appeal. The delegates, on arriving at Halifax, were honoured with special seats in the Legislature and were permitted to address the House. They showed the necessity of Colonial Union; that "unity is strength," &c.

The delegation was looked upon as the first step towards some means by which the Provinces may act together on all subjects affecting their common interests.

At St. John, New Brunswick, the delegates were received with the same cordial sympathy as at Halifax, and a resolution strongly condemnatory of the action of the Colonial Office was passed. The same action was taken by the Parliament of Prince Edward Island. In their address they say:. . . . "Apart from those high considerations of intercolonial policy which should always induce sister Provinces to unite for the vindication and preservation of our common rights, &c."

The following extract from the "Quebec Colonist" of April 16, 1857, shows the kindly and generous feeling of the Canadian people towards us in our distress: "If the British Provinces were united into one grand confederation their rights would be better respected. The people of Newfoundland have very judiciously sent to ask us Canadians for support and co-operation in resisting the injustice inflicted upon them. We trust this Treaty Affair will impress upon our fellow-Colonists as well as ourselves the necessity of a Federal Union of the Provinces at once. In the meantime we must give our fellow-Colonists the assurance of our warmest sympathy and support, and we are glad to learn that a unanimous feeling of that kind was manifested at the meeting called at the Exchange on Monday." Resolutions of the same tone as those mentioned above were passed also by the Legislature of Quebec.

Under the pressure of this great unanimous expression of sympathy and adherence, as we know, the Convention completely collapsed. We are now again threatened with a like dire national calamity. We are at the mercy of an insatiable American rapacity on the one hand, and a compromising British diplomacy on the other. Between the two, even though showing a united front among ourselves, we run a most grave risk of being crushed.

We cannot afford then, at such a time as this, to show the slightest sign of disunion among ourselves, or to antagonize or alienate in any way our fellow-Colonists, who are all at the present moment in deep sympathy with us, and prepared to stand by us in this our dark hour of trial.

Our Premier will have to meet the representatives of the other Colonies at the forthcoming Colonial Conference, and to ask their co-operation. Let us hope that he may not be handicapped by even the faintest jarring note of discord from those at home.

This is a great Imperial question, not a mere Newfoundland question. Let us appreciate the magnitude of it and rise to the level of it, if we hope to secure the support of all the Colonies of Greater Britain in the great struggle for our rights and liberties. We shall want it all.

M. F. HOWLEY.

St. John's, Newfoundland, January 14, 1907.

No. 46.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received February 11, 1907.)

MY LORD, Government House, St. John's, February 1, 1907.

I HAVE the honour to inform you that the herring fishery, which begins in the autumn season on the West Coast of this Colony, has come to an end, and to furnish you with such particulars regarding it as I have been able to obtain, and which may be of interest to your Lordship.

The fishery, so far as productiveness is concerned, has been better than either of the two last preceding years.

2. Newfoundland fishermen have been engaged during the season:—

(*a*) On 65 American vessels, and engaged outside the three-mile limit	742 men
Of these men 23 were shipped at St. Pierre and 77 at Sydney, Nova Scotia.	
(*b*) On 27 Canadian vessels the masters of which had Newfoundland licences	488 ,,
(*c*) On 55 local craft	577 ,,
(*d*) Fishing from the shore	180 ,,
Total Newfoundlanders	1,987 ,,

3. The full number of men employed on the 65 American vessels was 1,485, so that the Newfoundlanders made up exactly 50 per cent. of their crews. They were not, however, evenly distributed, for some of the American vessels brought full crews, and did not require any Newfoundlanders, while others brought only sufficient men to man the vessel, and trusted to have their catch secured by the local fishermen they hoped to be able to engage.

The total number of men engaged on the 27 Canadian vessels was 667, so that the Newfoundlanders made up 72 per cent. of their full fishing equipment. The Canadian vessels bring only sufficient men to man their craft, and look to the Newfoundlanders entirely for their fishing power.

4. It has been calculated by Mr. Inspector O'Reilly that the total earnings of the 1,987 Newfoundlanders engaged in this season's fishery was $191,397, which would give a mean of $96.32 a man.

The terms of engagement would seem to be that the Newfoundlanders receive per barrel of herring put on board an American or Canadian vessel $1.25, which is the minimum price allowed by law. In some cases this price was probably considerably exceeded. On the American craft it appears the men are "found" and are well fed and treated, while they are used less liberally in that respect by the Canadians. The men that engage and use any American gear are under the condition to pay for nets or such things lost or damaged, but generally the men use their own gear. It does not appear that this condition is rigorously interpreted by the Americans.

5. The composition of the whole fishing fleet at Bay of Islands would seem to have been as follows:—

	Vessels.	Tons.	Boats.	Gill Nets.	Men.
American	65	5,542	425	1,995	1,485
Canadian	27	2,917	188	928	677
Local	55	2,506	123	991	577
Shoremen	—	—	60	400	180
	147	10,968	904	4,214	2,919

6. The Americans did not use their seine nets in the Arms of the Bay; and, in fact, hardly seem to have employed them at all. These nets cannot, it would appear, be worked in the narrow Arms of the Bay, because they would everywhere interfere with the gill nets, as can be easily understood seeing that the latter numbered 4,214, each one about 20 fathoms long.

7. The season just finished compared with the preceding years as shown below in regard to "catch" and value:—

	American Catch.		British Catch.		Total.	
	Barrels.	Value.	Barrels.	Value.	Barrels.	Value.
		$		$		$
1904	88,717	143,581	16,708	42,256	105,425	185,837
1905	46,780	74,622	38,861	69,712	85,641	144,474
1906	70,349	268,596	45,887	183,548	116,236	452,144

From these figures it will be seen that herring were, on the mean of the whole export, valued, a barrel, in

1904 at $1.76.
1905 at $1.68.
1906 at $3.89.

The values declared this year, it will be observed, differ widely from the figures given for previous years. It would appear that formerly the real approximate value was not given.

8. The American exported 70,349 barrels on their own 65 vessels, all of which consisted of herring caught by the men employed on their own craft. But in addition to this they chartered 10 Canadian vessels, by which they sent away to Gloucester, New York, Boston, and Maine 10,000 barrels of herring. These 10 Canadian vessels employed Newfoundlanders to fish for them, and these latter would be engaged by the Canadian master under his Newfoundland licence.

9. The Canadians took away in the 17 vessels fishing for themselves 19,649 barrels of herring, all of which were secured for them by the Newfoundlanders engaged by them on the West Coast.

10. The exports by local fishermen consisted of 6,000 barrels sent away by the men of St. George's Bay, who did not work for either Americans or Canadians, but exported their herring to market at their own risk.

Other Newfoundlanders, chiefly, it appears, fishermen, sent to market on their own venture 10,238 barrels. These two shipments realised:—

(*a*) 6,000 barrels, $24,000, that is $4.00 a barrel.

(*b*) 10,238 barrels, $46,208, that is $4·62 a barrel.

The whole export was thus distributed as follows:—

Shipped to America by Americans:—		
(*a*) In American vessels	70,349	barrels.
(*b*) In Canadian vessels	10,000	„
Total	80,349	„
Shipped to Canada in Canadian vessels	19,649	„
Exports by Newfoundlanders	16,238	„
Total exports	116,236	„

A barrel of herring is 200 pounds.

11. The duty on herring a barrel, would, to Newfoundland importers, be $1.14 a barrel, at the rate of half cent a pound, on entering the United States. This would leave for the importer, say, $3.48 a barrel.

The value of the 70,349 barrels exported by the American vessels to Gloucester was given by the masters as $365,286, or at the rate of $5.19 a barrel.

The value of the 10,000 barrels the Americans sent away on the Canadian vessels chartered by them was $54,760, or at the rate of $5.47 a barrel.

The 19,649 barrels exported by the Canadians to their own country were valued at $92,648, or at the rate of $4.68 a barrel. The greater portion of that herring, it is believed, finds its way to the United States.

12. It would seem to be quite clear that it would be more profitable for Newfoundland fishermen to fish for themselves, and export on their own account, than to work for either Americans or Canadians. This season, as shown above, they exported at their own risk to:—

(*a*) Halifax, 6,000 barrels, at $4. At Halifax they would have free entry for their fish.

(*b*) Gloucester, 10,238 barrels, at $4.62.

On 99,998 barrels caught by Newfoundlanders for Americans and Canadians, it is estimated that the value to the Newfoundlanders employed in that catch was $121,189, or at the rate of $1.21. Now the price realised at Gloucester by Newfoundland fishermen, according to what precedes, was $4.62, which leaves $3.48 a barrel instead of the $1.21 a barrel received for catching the herring for Americans and Canadians, a difference of $2.27 a barrel, which, on 99,998 barrels, would have reached the substantial sum of $226,995. Of course, from this sum there would have to be deducted freight, agency, &c. But making full allowance for all incidental expenses, the advantage would be very considerable. It seems strange that under these circumstances the merchants of St. John's who, as your Lordship is aware, take a political interest in this fishery, do not take any part in working this industry. That they do not participate in it is shown conclusively by an examination of the 13 local vessels that carried the 10,238 barrels, exported by Newfoundlanders, to the United States, as follows:—

LOCAL VESSELS EXPORTING HERRING.

Vessel.	Port of Registry	Charterer.	Cargo in Barrels.	Destination cleared for.
"B. G. Anderson"...	St. George's ...	McLean, Bay of Islands.	1,200	Gloucester.
"Unique"	St. George's ...	N. Butt, Bay St. George.	1,170	"
"Maggie M. W." ...	Bay of Islands ...	Petipas, Bay of Islands.	1,157	Halifax.
"Nightingale" ...	Burin	C. Bishop, Burin ...	567	"
"B. G. Anderson"...	St. George's ...	McLean, Burin ...	650	Gloucester.
"Minnie J. Smith"	Ramea	Penny, Ramea ...	590	Halifax.
"Harry Lewis" ...	Bonne Bay	Preble, Bonne Bay	975	"
"Ontario"... ...	St. George's ...	McFatridge, Bay St. George.	575	"
"Athlone" ...	St. George's ...	Bennett, Bay St. George.	954	"
"Burnham H." ...	Lark Harbour ...	Sheppard, Bay of Islands.	600	"
"Helen Vair" ...	Grand Bank ...	Bagg, Bay of Islands	750	"
"Willis C." ...	St. George's ...	Shaw, Bay St. George	670	"
"Romoo"	Burgeo	Moulton, Burgeo ...	380	"

13. The herring exported from Bay of Islands during this last season was, it would appear, sent to the following places:—

Gloucester, Massachussets	77,837	barrels.
Lunenburg, Nova Scotia	18,148	"
Halifax, Nova Scotia	14,153	"
Sydney, Nova Scotia	90	"
Boston	1,650	"
New York	1,798	"
St. John's, New Brunswick	2,180	"
Coastwise	380	"
	116,236	"

This gives an export of 81,285 barrels to the United States, of 34,571 barrels to Canada, while 380 barrels were shipped coastwise in Newfoundland.

14. A new point of considerable interest in this complicated question may not improbably arise from the chartering of Canadian vessels by Americans, as described above. It may, therefore, be desirable that some details regarding the chartered Canadian vessels should be given here, as in the tabulated form below:—

LIST OF CANADIAN VESSELS CHARTERED BY AMERICANS.

Vessel.	Port of Registry.	Charterer.	Barrels.	Destination.
"Havana" ...	Lunenburg... ...	Pow, Gordon & Co.	1,400	Gloucester.
"Eva Jane" ...	"	F. Hall	872	"
"Ethel"	"	George Turner ...	1,550	"
"Alma Nelson"...	"	A. Maliock ...	848	New York.
"Yukon"... ...	"	"	950	"

Vessel.	Port of Registry.	Charterer.	Barrels.	Destination.
"Speculator" ...	Lunenburg... ...	A. Mallock ...	600	New York.
"Madeira ...	"	Robinson & Co. ...	1,680	St. John, N.B.
"Britannia" ...	"	F. J. Carter ...	1,100	Boston.
"Bohemia" ...	"	Robinson & Co. ...	500	St. John, N.B.
"Mindora" ..	"	F. J. Carter ...	500	Boston.

The three last vessels on this list are really owned, it appears, the "Britannia" and "Mindora" at Bay of Islands, and the "Bohemia" at Burin. It is, for reasons of business, found to be advantageous to the owners to have them registered at Lunenburg.

15. From what is stated above, it is manifest that the presence of the Americans on the West Coast this last season furnished the local fishermen with their principal market, a fact that no doubt influences the feeling of the West Coast fishermen towards the Americans, whose visits to the Bay of Islands they do not appear desirous of seeing discontinued. It seems that very friendly relations were maintained between the American and the local fishermen all through the season. Americans that had disputes between themselves sometimes appealed to Inspector O'Reilly to settle them. The Americans also showed a strong desire to comply with the provisions of the *modus vivendi* in every particular. It is reported to be the case that they all entered at the Customs, paid the light dues, and practically abstained from fishing on Sunday. But there remain outstanding against certain vessels charges for smuggling, and for selling liquor, charges that are of an ordinary nature, and do not call for special comment here.

Relations between the American and the British officers on duty there remained uniformly good.

16. A copy of the Inspector's Report on the Fishery for 1906 will follow by next mail.

I have, &c.,
WM. MacGREGOR.

No. 47.

The GOVERNOR to the SECRETARY OF STATE.

(Received February 19, 1907.)

My Lord, Government House, St. John's, February 8, 1907.

I have the honour to transmit, for your information, copies of the speech with which I opened the present session of the Legislature of this Colony, on the 7th instant.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 47.

His Excellency's Speech.

Mr. President and Honourable Gentlemen of the Legislative Council:
Mr. Speaker and Gentlemen of the Honourable House of Assembly:

I desire to extend to you most cordial greetings on the occasion of your assembling for the despatch of your important duties, and I am pleased to be able to avail myself of your assistance in the exercise of those high responsibilities assigned to us by the Constitution.

It is exceedingly gratifying to me to feel warranted in congratulating you on the large measure of prosperity that has rewarded the industry of our people during the year that has passed. The retrospect of the leading industries of the Island is eminently satisfactory, and the high price obtained for our staple exports affords reasonable expectation of still greater expansion of trade and commerce.

It affords me pleasure to observe that the pulp and paper industry that you succeeded in enterprising by a wise and liberal policy is making commendable progress. It is quite evident from the manner in which the proprietors of that industry at Grand Falls have set about their business that it will be operated not only on a very extensive scale, but with a view to the continuance of the industry. You will be pleased to learn that my Ministers have been in negotiation with English capitalists for the establishment of another branch of this industry at Bishop's Falls, on the Exploits River, and that operations will be commenced at that point with the opening of the spring. Expert examination of the forest lands of the Colony has demonstrated that our pulp wood areas rank amongst the best in the world. If, therefore, care is taken to prevent forest fires and the indiscriminate cutting of small timber, we may confidently look forward to a permanent addition to the revenues of the Colony from this source.

My Ministers are giving their attention to the matter of agricultural settlement in the vicinity of the townships that are being laid out at Grand Falls and Bishop's Falls, and liberal inducements will be extended to practical farmers to settle upon these lands. Special care will be taken in the selection of such farmers, as my Ministers fully appreciate that the promotion of agricultural development in this Colony can best be secured by the object lesson furnished by a practical and thrifty husbandry.

You will be glad to learn that my Ministers have made arrangements for testing the possibilities of drift net fishing off the coasts of this Island, for the curing of herring according to the Scotch method, and for marketing the same to the best advantage. This work will be entered upon in May next, and I hope will result in the permanent establishment of a new branch of our fisheries.

Mr. Speaker and Gentlemen of the Honourable House of Assembly:

The financial result of the fiscal year ending 30th of June, 1906, fully justifies the anticipations of my Government. The accounts to be furnished you will show a surplus of revenue over expenditure.

The estimates for the coming year will be laid before you at an early date, and I confidently rely upon your making all due provision for the public service.

Mr. President and Honourable Gentlemen of the Legislative Council:

Mr. Speaker and Gentlemen of the Honourable House of Assembly:

In the month of October last a *modus vivendi* was arranged between His Majesty's Government and that of the United States of America in relation to the prosecution of the autumn fishery on the west coast of this Island, whereby the first part of Section One and the whole of Section Three of the Foreign Fishing Vessels Act, 1905, were held not to apply to American fishermen, and the Foreign Fishing Vessls Act adopted by your Honourable Houses last Session was held in abeyance. The agreement also provided for the use of purse seines by American citizens, and the shipping by them of local fishermen for the prosecution of the herring fishery. My Ministry entered a respectful protest with His Majesty's Government against the granting of these concessions, and, regarding them as detrimental to the interests of this Colony and unconstitutional, they declined to become consenting parties to the agreement, and notified His Majesty's Government of their intention to test its validity in the courts.

I have to announce that an invitation has been received from His Majesty's Government for the participation of this Colony in a Conference of the Prime Ministers of the self-governing Colonies, which it is intended to hold in London next April, for the purpose of consultation upon matters of general interest to the Empire. I hope that the business of the Session will be concluded in time to admit of my Prime Minister accepting this invitation, and that the Colony may derive material benefit from the proposed deliberations.

Several despatches from the Imperial Government, and other important papers, will in due time be placed before you.

Amongst important bills to be submitted for your consideration will be one to confirm an agreement entered into between the Government of this Colony and responsible persons in England for a fast steamship service between the British Isles and the American Continent via Newfoundland, and the construction of a line of railway through the Northern portion of this Island in connection therewith. The geographical position of this Island renders it an essential link in any scheme for rapid transit between the Old World and the New. Nature seems to have done everything possible to facilitate such an enterprise. Scientific investigation has proved beyond question that there is a fog-free zone stretching eastward from Green Bay, Newfoundland, in a direct line towards the British Isles. On the east and west coasts of this Island are harbours which may be properly classed amongst the finest in the world, and several hundred miles nearer Europe than any other portion of the Continent of America. As offering an Imperial trade avenue the proposed service stands unrivalled, and is of the first importance to the Empire. Its strategic advantages are not likely to be overlooked by His Majesty's Government. This great project which is to be presented to us, and towards the accomplishment of which our co-operation has been invited, opens to view a future stored with the elements of Colonial progress and prosperity, and will upon completion enable His Majesty's possessions on this side of the Atlantic to direct their resources and their outcome into a broad channel of national solidarity.

In leaving you to your deliberations, I trust that they may be directed by Divine favour to the promotion of the general welfare of this Colony.

No. 48.

THE GOVERNOR to THE SECRETARY OF STATE

(Received February 19, 1907.)

MY LORD, Government House, St. John's, February 9, 1907.

I HAVE the honour to enclose, for your information, extracts from "The Evening Telegram" and "The Evening Herald," of St. John's, of the 8th instant, containing brief reports of the speeches of the mover and seconder of the Address in reply to the speech delivered by me on opening the Legislature. These extracts deal only with the question of the *modus vivendi*, and will give your Lordship some indication as to the attitude of the leading Government supporters in the House of Assembly.

I have, &c.,
WM. MACGREGOR.

Enclosure 1 in No. 48.

"THE EVENING TELEGRAM," Newfoundland, February 8, 1907.

HOUSE OF ASSEMBLY.

PROCEEDINGS.

Thursday, February 7.

The House of Assembly having been prorogued from time to time by proclamation of His Excellency the Governor in Council was called together for business at 3 p.m., this date.

Mr. Donald Morison, who has been elected as representative for the District of Bonavista since the last session of the House of Assembly, was introduced by the Honourable Leader of the Opposition, Captain C. Dawe, supported by Mr. M. P. Cashin, representative of the District of Ferryland, and welcomed by the Honourable the Speaker.

The usher of the Black Rod being announced he informed Mr. Speaker and the members of the House of Assembly that His Excellency the Governor awaited them in the Upper Chamber.

On the return of the members to the House of Assembly, the Hon. Mr. Speaker administered the oath of office to Mr. A. G. Herder, Assistant Clerk of the House.

Mr. Speaker then announced that the members had been in attendance on His Excellency the Governor, who had been pleased to deliver a most gracious speech, of which for greater accuracy he had obtained a copy.

(The speech* published in another column was then read by the Speaker.)

Mr. BARNES.—He rose to move for the appointment of a Select Committee to draft an Address in Reply to the most gracious speech that His Excellency the Governor had been pleased to deliver at the opening of this session of the Legislature. In doing so he craved the indulgence of the House while he referred to one or two paragraphs in the speech. It was a matter worthy of congratulation that the finances of the Colony are in such a flourishing condition. It was a matter of sincere congratulation to the people of this Colony that such is our present condition, especially so when we note that the exports of this Colony for the year 1906, amounted to $12,000,000 and our imports during the same period were $10,500,000, leaving a balance in favour of the Colony of $1,500,000. The revenue for 1905-6 amounted to $2,660,000, as against $2,570,000 for the year 1904-5. That this was a matter of congratulation none would doubt, and was a sufficient cause for the halo of satisfaction that surrounds the face of the Hon. Minister of Finance. The seal fishery for 1906 was perhaps the best in the recent history of the Colony. There were 25 steamers with 4,000 men engaged at the ice, and the value of that fishery was $607,544, an increase of $300,000 over the previous year. Our bank fishery last year had 97 vessels engaged, with 1,377 men. The catch totalled 75,000 quintals, showing an increase over 1905 of 4,000 quintals as compared with the 71,000 quintals taken by 83 vessels and 1,160 men the year before. Again, take the Labrador fishery, where the catch was not as large as that of the year 1905. Yet the price obtained brought fairly remunerative returns. Notwithstanding this small catch the returns to the fishermen fully equalled that of the previous year. There was one regrettable feature in this connection, however; the exporters had not realized the price they had figured on at the time of the purchasing of this product. This arose chiefly through the insufficient cure of the Labrador catch. This proved conclusively that if the staple industry of our country conducted at Labrador is to receive the price as heretofore quoted, it will be necessary for both fishermen and exporters to demand a better cure. He considered it was also particularly gratifying to note the large number of small vessels that have been built in the Colony during the past year. Over 100 such craft had been built in addition to the many purchased outside the Colony. These vessels were built and owned by independent men. To-day the fishermen of Newfoundland are becoming more and more independent. A fisherman and his sons build a small vessel which they themselves can man, and with which they can make good voyages without outside aid. The result of this tendency is to make our men more and more independent.

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* Enclosure in No. 47.

Last year a sum of $40,000 was allocated by this house to encourage the prosecution of the herring fishery. We are told in the speech from the Throne that it is the intention of the Government to test the possibilities of this fishery. For several years many of our most experienced fishermen have contended that around our coast numerous schools of herring are to be found, but hitherto there has been no means of taking them in deep water. He felt there was not the least doubt but the present experiment would result in an increase of the herring fishery. It was interesting to compare the herring fishery in Newfoundland and that of Scotland. There was a wonderful similarity in the history of this fishery in these two countries. In Scotland at one time the herring fishery was conducted in shallow water by means of gill nets, precisely as that around the shores of this Colony to-day, but the herring left from some unknown cause their usual haunts for deep water, and as a consequence the drift-net fishery was adopted by Scotch fishermen. In 1867 the quantity of herring taken in Scotland was 804,000 barrels, while in 1906 it aggregated 2,000,000, amounting in value to at least $10,000,000. In Newfoundland we have all the advantages, and very few of the disadvantages for making the herring fishery as prosecuted by drift-nets a success. The herring are on our coast. We have the men, who at present are unacquainted with drift-net fishing; but one of the most remarkable features of our people is the rapidity with which they adapt themselves to new conditions. We have the timber, plenty of it; and close to our own doors is a market, and he trusted we would soon avail of all our opportunities in this respect. As he had said before there were four great advantages, and very few disadvantages. What was first needed was the proof to establish the fact of herring being off our coast. Then we want an object lesson on the methods of cure and pack. When our fishermen have learned these, it will mean thousands of dollars to the Colony. There was a saying on the West Coast that men packed and actually shipped herring to American markets in flour barrels. He was aware that this Scotch method had been tried here. Opponents of the scheme have said that it is impossible to cure our herring after the Scotch fashion. To allay all doubts on this matter he referred to the statement in the fishery report of 1891, made by the late Adolph Neilsen, who at Sound Island, Placentia Bay, had 100 barrels packed under his own supervision, in barrels made of birch staves and hooped with iron. Ninety barrels were exported to Hamburg, New York, and Chicago, and realized from $7.20 to $8 a barrel. The remaining 10 barrels were kept in Newfoundland and sent on to St. John's, where they were left on one of our wharves, and although subject to the many changes of temperature during the period they were exposed, it was found that in the following fall when the barrels were opened that the herring were then in as good a condition as when they were packed. They were subsequently sent to New York, and found a ready sale at $8.20 a barrel. This he considered sufficient proof to convince anyone fully that our fish can be packed after this fashion. The method had been tried in Nova Scotia with only partial success, owing to political partisanship and local interference. Although the success was but partial, there were, however, most encouraging incidents in connection with it. The fish cured after the Scotch fashion obtained a ready market at prices ranging from $9.50 to $10 a barrel, while the herring taken in gill nets and put up in the old methods was marketed at $5. Suppose, for argument sake, the worst did happen and the experiment proved a failure. In any event it was an honest effort made by a paternal Government to expand the existing industry and to better the condition of the fishermen.

He then took up what he considered a most significant part of His Excellency's speech—the *modus vivendi*. It was true the correspondence in connection with that instrument was not before the House, but from what he knew and could gather from the press and other outside sources, the arrangements had been entered into without the consent of the Newfoundland Government. In the course of the negotiations, the American Government had demanded that the fishermen should be absolutely exempt from any local regulations whatever, whether the latter were of an unreasonable or reasonable nature. They claimed the right to an absolute exemption of their fishermen from local laws relating to preservation of the fishery, entry and clearance at the Custom houses, and payment of light dues. They claimed the right to enjoy Sunday fishing or to use purse seines or any instruments they wished. They repudiated the sovereign right of the British Government or the Newfoundland Government to judge whether any regulation was reasonable or unreasonable as it affected American fishermen resorting to the Treaty waters. As a matter of fact there never has been any unreasonable interference with them. The same regulations have been applied indiscriminately against Newfoundland and other British fishermen. Newfoundland recognizes the sanctity of the Treaty of 1818, and has made no attempt to restrict or limit actual Treaty rights. But the 220,000 Newfoundlanders had rights too, and these should not be sacrificed to preserve the mere friendship of the United States, which at best was but a doubtful quantity, whereas our own folks were as true to the flag and as loyal to the Empire as those of any other Colony or of England herself. The rights of Newfoundland cannot be conserved by a weak submission to the arrogant demands of America. This is not a party question. It is of national importance affecting the present and future welfare of Newfoundland. Cavillers have questioned the gravity of the issue. But is it of no concern, that our rights are bartered away without our consent, our liberties restricted, our fishery destroyed, and our people made the agents of their own impoverishment? Let England, who expects a Colony to do its duty, do her duty toward the Colony. Her's has been the hand to place this yoke on this people and her's must be the hand to remove it. The unkindest treatment has been meted out to Newfoundland from the very first. It has been that of a cruel step-mother rather than that of a loving parent. Cruelty in infancy, persecution at maturity, and forgetfulness in old age. Yet, in spite of all, we have continued to love and respect her. The poorest in the land gave liberally of their substance to comfort the wounded in South Africa, and although Newfoundland could not send a contingent, yet her sons volunteered for the front and their blood stained the veldt in order that her honour and prestige might be maintained unsullied. But, 50 years ago, at the inception of Responsible Government here, our forefathers had to face a difficulty similar to the present one. They were called upon to resist the bartering away of the rights of Newfoundland, and nobly did they stand in the breach. Regardless of party or creed, they united as one man, for the common good, won a glorious victory and obtained from the British Government the celebrated Labouchere despatch, known as our Magna Charta, viz., that the consent of the community of Newfoundland should be regarded by His Majesty's Government as the essential preliminary to any modification of our territorial or maritime rights. To-day the same duty is incumbent on us, and may the doings of the Government and Opposition in this crisis be such that when history records them there may be nothing which will wound the susceptibilities of future generations, but such as will redound to the honour of this generation and be a fitting example to generations unborn.

He begged leave to move for the appointment of a select committee to draft a reply to the gracious speech with which His Excellency had been pleased to open this session of the Legislature.

Enclosure 2 in No. 48.

"The Evening Herald," Newfoundland, February 8, 1907.

Opening of the Legislature.

The opening of the third session of the present Legislature yesterday afternoon was an imposing function. The attendance in the Legislative Council was unusually large, ladies being present in goodly numbers, while the dignitaries present included His Grace Archbishop Howley, the Clergy of all Churches, Supreme Court Judges, Consuls, and representative citizens of every class. There was also a very large gathering outside the House, where the naval men and the senior companies of the C.L.B., C.C.C., and M.G.B. were paraded, all under the command of Captain Hill, R.N., with the bands of the latter two corps, which played the National Anthem as the Viceregal party arrived. His Excellency, who was accompanied by Lady MacGregor and attended by Inspector-General McCowen, Aide-de-camp, and Mr. K. S. Hay, R. N., Private Secretary, again exhibited that kindly consideration for which he is noted, in inspecting the forces before entering the chamber and then allowing them to leave, as they would have suffered greatly from the cold had they been kept there until the function ended. On entering the Chamber His Excellency ascended the throne, supported by Captain Hill, Paymaster Hay, and Dr. Huskisson (H.M.S. "Calypso"), Inspector-General McCowen, Superintendent Sullivan, and Colonel Rendell (C.L.B.), and Mr. Speaker and the Commoners appearing at the Bar, His Excellency read the following speech from the Throne:—

Mr. President and Honourable Gentlemen of the Legislative Council:

[*See Enclosure in No.* 47.]

In the Council.

After the visitors had retired, the Upper House entered upon the consideration of the speech, and the Hon. John Harvey, in moving the Address in Reply, delivered an extremely able and informing speech. He dealt exhaustively with the *modus vivendi* and his review of the historical aspects of the American Treaty question was one of unusual interest. Mr. Harvey's speech will appear in full in to-morrow's issue of the "Herald." The motion was seconded by Hon. J. D. Ryan in a brief, but effective, speech in which he reviewed the various matters dealt with in the Governor's message and illustrated the growing prosperity of the Colony in an interesting fashion. He emphasized especially the possibilities of tourist traffic from the establishment of the proposed short-line route. The Committee to draft the address are Hons. Harvey, Ryan, Greene, Ayre, and Skeleton. The House then adjourned till Tuesday.

In the Assembly.

When the Commoners returned to their Chamber a large number of prominent visitors accompanied them, and the available space on the floor was crowded with ladies, clergymen, and ex-members, while the galleries were packed with other citizens. Mr. D. Morison, member-elect for Bonavista, having taken the oath before Sir E. D. Shea, was introduced by Captain C. Dawe and Mr. M. P. Cashin and took his seat. Mr. A. J. Herder, the new

Assistant Clerk, was sworn in by the Speaker, and assumed his duties. The Speaker then read the speech to the members, and the assemblage settled down to hear the review of it from the mover and seconder of the Address in Reply.

Mr. Barnes.

The motion was proposed by Mr. A. Barnes, and his effort was undoubtedly one of the best heard in the House for many years, earning him hearty applause at its close and the sincere congratulations from both sides of the Chamber. His chaste style and admirable delivery enhanced the value of the matter of his speech, which was excellent in itself, and the only regret of most of his auditors was that he was too brief, as they would have welcomed an even fuller exposition of colonial affairs than he gave. He showed the prosperity of the Colony from its commercial figures: The exports for 1906 were $12,000,000 and the imports $10,500,000, leaving a balance of trade in favour of the Colony of $1,500,000. The total revenue was $2,660,000 against $2,570,000 the previous year. The seal fishery, with 25 steamers and 4,000 men, was valued at $607,000, an increase of $300,000 over 1905, and one of the largest on record. The bank fishery, with 97 vessels and 1,370 men, produced 75,000 quintals against 71,000 for 83 vessels and 1,160 men in 1905. The Labrador fishery was a good average, though it did not reach the abnormal catch of 1905. The price, however, was excellent, and the fishermen had done well, but the skippers had not reached remunerative returns, owing to the bad cure of the catch, a fact which emphasized the great need for more care by our fishermen in that respect. That our fisherfolk were prospering was evident from over 100 vessels having been built in the Colony last year besides what were bought abroad; the tendency was towards the creation of a class of independent men working their crafts with their own sons. They would soon have a new industry to engage in. The Legislature last year had voted $40,000 to encourage the introduction of drift-net fishing for herrings and their cure by the Scotch method. The history of this Scotch fishery was like our own. Some years the herring deserted the inlets and had to be sought at sea; hence the employment of drifters and a permanent off-shore herring fishery. In 1867 the catch in Scotland was 804,000 barrels; in 1905 it was 2,000.000 barrels, valued at $10,000,000. We had equal advantages; we had the herring in abundance, the men to catch them, with a little training; the lumber to make barrels, the labour to pack the fish; and unlimited markets on the nearby continent. We needed now to determine the location of the herring schools off our coast at given periods, the instruction of our people in packing and curing them, and the stimulating of this venture along our seaboard. It had been argued that we could not cure our herring by the Scotch method, but he cited Mr. Neilsen's experiment in 1890 at Sound Island, when he packed 100 barrels of the fish in this fashion in packages of birch, with iron hoops, and they sold in Hamburg for $8 a barrel, when the ordinary package brought only $5. In Nova Scotia, too, where the Canadian Government was experimenting in this fishery, the pack was splendid and the venture promising, though the export was hampered greatly by political influence, which dictated even the manning of his ship. At any rate, the experiment here was a laudable one and even if it failed it was an evidence of how a paternal Government tried to benefit the fishermen. He condemned the *modus vivendi*, the overriding of the Colony, the autocratic attitude of the Americans. He championed the Colonial attitude, combatted the Yankee demand that neither "reasonable nor unreasonable regulations" should be effective against them, and argued that their attitude as to this meant that the coast would be delivered over to anarchy, if the Colony could not enforce its laws there. He admitted the sanctity of treaties, but wanted Newfoundland's rights upheld, instead of our being sacrificed by England for the purpose of securing amity —a doubtful quantity—with the United States. This should not be a political question but a national one. Our Government had acted properly in the matter; the country resolutely supported them; the Cabinets, people and press of the other Colonies were also a unit in support of us in feeling that this attempted abrogation of Newfoundland's constitutional rights was fraught with menace to them also. England had laid a heavy yoke on her sons in this Colony, had acted like a stern step-mother rather than a fond parent, had disregarded the Colonial loyalty which prompted her sons beyond the seas to shed their blood in the Boer war, and these outrages against autonomous rights were causing unrest in the Colonies and wrenching to the fullest the slender link which binds them to the Empire. In 1857, when a previous attempt was made to trample upon our rights, the Legislature and the people united in their defence, regardless of party, section, or creed, and wrung from the Colonial Office our Magna Charta, the Labouchere despatch; and he hoped an equal evidence of unity would be exhibited now.

Captain Bonia.

Captain Bonia seconded the motion in a speech of much force and full of practical views on fishery matters. Captain Bonia is always a welcome speaker and has a vein of humour peculiarly his own, but he did not give it full rein yesterday, much to the disappointment of many. His views on the fishery question were heard with great interest. He was gratified that the country was so prosperious and confident it would continue so. The successful fisheries and good returns meant comfort and content for the people. New industries were also taking form. The Harmsworth pulp enterprise was now to be followed by a second similar venture, and these would give constant employment to hundreds. The initiation of drift-net herring fishing would also be an immense boon and the Government deserved all praise on starting it, as if it developed as was expected, and as he, from his experience, had no reason to doubt, it would probably employ half our population and exceed in importance every other industry known to us. The Scotch have to go from 30 to 150 miles from land to get their herring, and as they could do it and make it pay we should be able to do the same. The American question was one of great importance. They had been fishing on our coast for many years and had spent their money freely and had been welcome among us. But, while willing to take every liberty the Treaty gave them, and every concession which we granted them besides, they were not willing to give us an equivalent, and when we asked for reciprocity they exerted all their influence to prevent us getting it. When we then cancelled these concessions which we generously granted them, they tried to bluff us by asserting that they could do without our baiting and outfitting privileges and that we would only injure our own people by excluding Yankee vessels from our waters. There was a time, perhaps, in years gone by, when Newfoundland was meeting reverses, when this might have been true. But it was true no longer. Times had changed, Newfoundland had recovered from the blasts of misfortune and was bounding along the highlands of prosperity. She had crippled St. Pierre and could cripple Gloucester. Our bait supply was just as necessary to Gloucester as to St. Pierre. The Gloucester banking fleet was badly hurt by the withdrawal of the bait privilege and the American Government had to bulldoze the British Ministry to secure a foothold on the West Coast herring fishery. Even then they had met with reverses. They knew our local fisherfolk, with the short season and limited catch could not afford to get purse seines and other expensive apparatus and also were opposed to using them because they were so destructive, so they (Yankees) threatened to use these seines themselves, which they could without cost, as they are simply mackerel seines utilized for the purpose. But when they tried them at Bay of Islands, they found that they were useless in the deep water and that our people would not work them, knowing they would soon destroy the herring fishery as they had already destroyed the mackerel fishery, and so the Americans had to abandon them. Just the same the American Government had frightened the British Government into granting them a *modus vivendi* to use these seines and to hire our men, both concessions which were highly objectionable and which the Colony should use every effort to protest against. We are to-day facing a momentous crisis, our birthright is jeopardized and honour demands that all should unite to defend our threatened liberties. We should not allow Gloucester to dictate to us nor be dragooned by a few politicians at Downing Street. We have a cabinet here, elected by the voice of the people and in which they have confidence, and the country is a unit behind them in the emergency. The Premier, Sir Robert Bond, had devoted his life to the welfare of his native land and was supported by colleagues who were as zealous in the promotion of the best interests of our island home. These were the ones whose decision the people of this Colony would uphold and who would guide the ship safely; and the Americans should not be allowed a single other privilege on our shores. He was glad to observe that the Premier was going to England for the Colonial Conference; he felt sure his labours there would be for the public good; he believed he would have the support of the other delegates in demanding that Newfoundland's rights be upheld; and he was satisfied that the result would be that this would no longer be the sport of historic misfortune but the equal of any Colony of the Empire.

Captain C. Dawe.

Captain C. Dawe, leader of the Opposition, intended to be brief in his remarks, and would record as a preliminary his congratulations to the mover and seconder of the Address in Reply, who were among the best he had ever heard. Mr. Barnes, however, was in error in stating that last year's seal fishery was the best. It was not the best. The cod fishery was not up to the mark, either as to catch or price, and as he regarded the fishery as the most important industry was disappointed that it was so unsatisfactory. The success of the pulp and paper industry is yet problematical, and it cannot be yet said that the concessions made to outside capitalists will be advantageous. He hoped for greater agricultural success, and as to drift-net fishing all the good that he could discern as having emanated from the vote of $40,000 was in the declaration of an expert that the boats at Placentia might be used minus their foremasts. When it took so long to evolve this pronouncement when would the good results materialize? He thought the money would be all gone before anything material developed. When the correspondence on the *modus vivendi* had been tabled he would deal with it. As regards the proposed fast steamship line, he did not think a Colony like this should be expected to contribute to such a scheme.

The Premier.

The Premier in a graceful speech congratulated the mover and seconder upon the admirable addresses they had made, which were among the very finest in his parliamentary experience. He also congratulated Captain Dawe upon attaining to the dignity of leading the Opposition, a position to which his long years of experience in the Legislature and his position in the forefront of the Colony's industries amply entitled him. He was filling a difficult place following upon a man of Mr. Morine's admitted ability, but the Premier was confident the gallant Captain would do all in his power to maintain the traditions associated with that post. They had had differences during their 25 years of public life, he and Captain Dawe, but speaking for himself he never carried the incident beyond the sitting, and was sure the same was true of Captain Dawe. The gallant Captain had twitted Mr. Barnes for an error about the seal fishery, but was in error himself in alleging that the herring fishery project was initiated two years ago. The Bill was passed only last session and the Government had wasted no time in giving effect to it. It was a difficult matter to interest the British herring fishers in this project seeing that the catch of two ports alone—Yarmouth and Lowestoft—was valued at £750,000 for two months, and the annual value of the British herring fishery is £3,000,000. But thanks to the energy of the Minister of Fisheries, who had been sent to England for the purpose, arrangements had been made and the experiment would be started in the early spring. He was glad to hear Captain Dawe's declaration as to the attitude of the Opposition on the *modus vivendi* question. He did not intend to discuss that issue at length now, but there would be an opportunity very shortly for every member to put himself on record on this important question.

The motion was then put and carried and Messrs. Barnes, Bonia, Hutchings, Dawe, and Blandford were appointed the Committee to draft the Address. The Premier gave notice that at the next sitting he would move the House into Committee of the Whole to consider an Address to the Secretary for the Colonies on the subject of the *modus vivendi*. Captain Dawe gave notice to ask for all the correspondence on the subject, and Mr. Morison for the expenditure to date anent the drift-net herring fishery scheme. The House then adjourned till Tuesday next.

No. 49.

The GOVERNOR to the SECRETARY OF STATE.

(Received February 19, 1907.)

My Lord, Government House, St. John's, February 9, 1907.

I have the honour to enclose herewith, for your information, a copy of the report of Inspector O'Reilly on the Fishery Protection Service of this Colony for 1906.

Printed copies will be sent your Lordship in due course.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 49.

Report of the Fisheries Protection Service of Newfoundland for the Year 1906 by Joseph O'Reilly, Commissioner of Fisheries, S.S. "Fiona."

Sir,

I have the honour to report on the work of the Fisheries Protection Service under my charge during the past season as follows:—

The vessels engaged in the service were:—

Name.	Date of Commission.	Date of Paying Off.
Boat "Star of the Sea" ...	—	—
Yacht "Vigil"	June 10th, 1906 ...	July 10th, 1906.
S.S. "Fiona"	March 29th, 1906 ...	Still in commission.
S.S. "Neptune"	—	—

The boat "Star of the Sea" was in charge of Constable William March, and cruised during the herring baiting season around the inner harbours and arms of Placentia Bay, and gave special attention to the supervision of the lobster fishery and saw that the factories and surroundings were kept clean and that no immature fish were taken for canning purposes. When caplin baiting season came around, this boat was moved out more to the headlands, and cruised from Burin to Paradise, making Jean de Bay her principal anchoring place, and attended to some 50 Canadian and local vessels taking caplin bait in the neighbourhood. An account of her work will be found in the appendix.*

The yacht "Vigil" was in charge of John Camp, Sub-Collector, His Majesty's Customs, and was not put in commission until June, or during the caplin school, and cruised from Grand Bank to Point May, making Dantzic Cove her principal anchoring place.

The S.S. "Neptune" was under the command of Captain Bonia, and cruised north and south along the coast. See his report for an account of her work.

The Act excluding United States Fishing Vessels, passed 15th June, 1905, was strictly enforced. No violations of the law were reported. Several American fishing vessels called at our ports west of Ramea and enjoyed unmolested their rights of fishing under the Convention of 1818.

On the 29th March complaints had reached the Department of Marine and Fisheries from the fishermen of Channel and Rose Blanche that the Fishery Regulations, as to the prohibiting the setting of trawls on the fishing ground between Cape La Hune and Cape Ray, were being violated.

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* Not printed.

We left St. John's in the "Fiona" on the 29th March, and arrived at Channel on the 31st. We found that many violations of the Fishery Regulations had taken place, not only as to the setting of trawls inside the prescribed limits, but the throwing overboard on the fishing ground fish offal, heads and bones.

Complaint was made against the following persons, and summonses were issued for their appearance before Magistrate Small, of Burgeo, who was specially commissioned for the purpose. Convictions were had, and fines imposed, as shown in the schedule of prosecution forwarded.

We cruised from Cape Ray to Cape La Hune during all the time that the large fleet of Gloucester and local fishing vessels remained in shore in that locality. When the ice cleared out of the gulf, and permitted the fleet to go north, they did so, and did not return to those fishing grounds again for the season.

After the ice clearing in the gulf we went north with the fleet to Bay of Islands, where the greater number of vessels were seeking herring bait.

On the 26th day of April we arrived at Bay of Islands and tried to get up the Humber. We did not succeed, as the arm was filled with ice, and was almost like winter conditions.

HERRING BAIT.

Herring were very scarce in Fortune Bay in the early spring, but were fairly plentiful in Connaigre Bay, where a fair supply for bait purposes was obtained, especially so about the end of May or June. There was also a fair supply of small herring in Placentia Bay, and, as the season advanced, they were more easily obtained. The herring seems to have temporarily forsaken this bay, which was known in former years as "the home of the herring." The supply of herring bait in the spring seems to be getting scarcer every year, many of the fishermen think it is only temporary. The regulation prohibiting the use of seines in the spring for taking herring, except for bait purposes, is working well, as it gives the fish a chance to come into shallow water to spawn. The fishermen the past two years report large quantities of small herring in Placentia, Fortune and Connaigre Bays, and as time went on have noticed the difference in their sizes.

On the 28th May we were ordered to St. George's Bay, and there we took the Minister of Marine and Fisheries on board for the purpose of visiting some of the French rooms along the coast and disposing of the property remaining. Mr. Mair, our fishery expert, also accompanied Mr. Dawe, and made special enquiry *re* fishery matters, particularly as to the movements of the herring along this part of the coast. The spring herring fishery was then on at St. George's and he had an opportunity of seeing the work for himself. On May 31st we again took up our regular work on the south coast.

CAPLIN.

There was an abundant supply of caplin all along our coast. They struck in fairly plentiful in Fortune Bay about the 18th June, and continued so all the season. Caplin were some days later in striking Miquelon, but when they did strike they were abundant. There were several Gloucester fishing vessels called at St. Pierre and Miquelon and obtained supplies of caplin bait. The past few years the St. Pierre authorities are carrying out a sort of protection service around the coast of Miquelon, Langlade and St. Pierre. The usual number of Canadian bank fishing vessels came to our coast, and some one hundred and twenty of them took bait licences and obtained two or three caplin baitings from our people. There was also a large number of them on our coast seeking squid bait.

SQUID.

These bait fishes were peculiar in their movements this season. They seem to have abandoned the outside coves and places where they were usually found, but were plentiful in the heads of the arms and bays along the south coast. Squid were very scarce about Burgeo, where a large number of Gloucester and Canadian fishing vessels remained for a month or more at a time seeking them. Many of those vessels abandoned the fishery in September, as no squid could be had.

The Protection Service this season, up to the end of the caplin baiting season, was a complete success. There was no violation of the law up to the 3rd of July.

On the 3rd of July we went to St. John's, as we were not needed then along the coast. We refitted and were at once ordered to proceed to Anse Eclair, to make enquiries into matters in connection with the Gloucester schooner "Essex," Captain Van Amburgh, for a violation of our Fishery Regulations, attempting to haul bait on a Sunday. We were also instructed to call at Bay of Islands and take His Excellency Governor MacGregor and party on board and land them at Blanc Sablon. This we did and got back to Bay of Islands on the 18th July, where we landed His Excellency and party. We left there at once, and arrived at Burgeo on the 20th July.

While at this place report was going about of destruction of salmon at Little River. We visited this place and made special enquiry into the matter. On the 21st July we went up the river and to the camping ground of Mr. Muir and party who had been fishing there a few days before. As I already made a special report on my investigation, it is not necessary to refer to it now, more than to point out that some limit should be put to the number of grilse and salmon that sportsmen should be allowed to take. Mr. Muir himself admitted to me that he caught with his own rod 250 grilse and salmon at Little River. If the number of salmon for a sportsman was limited to three salmon, from seven pounds up, and eight or ten grilse, under seven pounds, or some such number, I think it would satisfy most sportsmen for a day's salmon fishing.

We arrived at St. John's on the 26th day of July, as the ship was required to take the Supreme Court on circuit around the coast.

We left St. John's again on the 8th August for Bay of Islands, calling at several places along the coast on fishery service.

When the ship arrived at Bay of Islands the Supreme Court on the southern circuit came on board. I went on shore at Bay of Islands and did not join the ship again until she came to St. George's. From St. George's we went down the coast as far as Cape La Hune on fishery service, returning again to Burgeo, where I left the vessel. Captain English was directed to call at St. George's and take Chief Justice Horwood and suite on board and convey them along the coast, finishing the circuit at Placentia about the end of August.

On Saturday, 1st day of September, we left St. John's in the "Fiona" bound for Cape Rouge, to make an enquiry into a complaint made by Paul Revert, Master of the barque "Président," of St. Malo, France, against Albert Russell, for malicious injury to the Frenchmen's trawls. A special report was made of the case to the Minister of Justice.

On my return to St. John's the "Fiona" was taken off the fishery service, and was engaged taking the northern circuit around. On Saturday, 22nd September, I was directed to proceed to Placentia and take charge of the S.S. "Neptune" during Captain Bonia's absence through a death in the family. I joined the "Neptune" on Saturday evening taking Tidewaiter Collins with me, and left that night for the westward. On Sunday we seized four boats. The Masters were charged before Stipendiary Magistrate at Burin, and the sentences given in the attached list were recorded.

On September 27th the S.S. "Fiona" arrived at Placentia. I went on board and we proceeded west on fishery service. On Sunday, 30th September, we seized three boats, making a total of seven altogether, for violations of the Bait Act.

On the 11th of October the "Fiona" was ordered to Bay of Islands in connection with the herring fishery.

List of persons convicted for violations of the Fishery Laws during the past season:—

Date.	Name and Occupation.	Residence.	Nature of Offence.	How disposed of. Amount fine imposed.
April 2 ...	Chas. W. Ansty ...	Garnish ...	Violation Fishery Rules. Using bultows on the fishing ground at Channel inside limit.	$30 and costs.
" ...	" " ...	" ...	Violation Fishery Rules. Throwing heads and fish offal overboard on fishing grounds.	Case dismissed. Not on fishing ground.
April 3 ...	Thomas Ford, fisherman.	Channel ...	Violation Fishery Rules. Using bultows on the fishing ground inside the limit.	$1 and costs.

Date.	Name and Occupation.	Residence.	Nature of Offence.	How disposed of. Amount fine imposed.
April 4 ...	William Blackem ...	Channel ...	Same offence	$1 and costs.
April 5 ...	Clayton Morrissey, Master " Elector."	Gloucester	Violation Fishery Rules. Using bultows inside the three-mile limit.	$20 and costs.
„ ...	Fred. Morrissey, Master " A. E. Whyland."	„	Violation Fishery Rules. Throwing fish offal overboard on fishing grounds.	„ „
„ ...	„ „	„	Violation Fishery Rules. Throwing offal overboard on the fishing ground.	„ „
„ ...	Randel Fudge ...	Belleoram	Violation Fishery Rules. Using bultows on fishing ground between Cape La Hune and Cape Ray inside the limit.	$30 and costs.
April 6 ...	George Kearley ...	Belleoram	Violation Fishery Rules. Using bultows on fishing ground between Cape La Hune and Cape Ray.	$30 and costs.
Sept. 4 ...	Albert Russell ...	Bay Roberts	Malicious injury to bultows and fishing gear of Paul Revert, of barque " Président," St. Malo, France.	$1 and costs.
„ ...	Thomas Kearley, fisherman.	„ „	Same offence	Case dismissed.
„ ...	William Kearley ...	„ „	„ „	„ „
Sept. 24	James Keeping ...	Boat Harbour.	Violation Bait Act. Export to St. Pierre without licence 10,000 squid.	$160 or three months' imprisonment. Fine paid.
„	James Lockyer, boat " Sarah."	„ „	Violation Bait Act. Export to St. Pierre without licence 7,000 squid.	$80 or 30 days' imprisonment.
„	John Smith ...	„ „	Same offence	„ „ „
„	Charles Smith ...	„ „	„ „	„ „ „
„	Thomas Brown ...	„ „	„ „	Dismissed.
„	Albert Mutrey ...	„ „	„ „	„
Sept. 26	William Bailey ...	„ „	Violation Bait Act. Export to St. Pierre without licence 10,000 squid.	$80 or thirty days' imprisonment.
„	John T. Emberley	Fortune Bay	Same offence	„ „ „
„	John Pendergast ...	Barren Island.	Violation Bait Act. Having in his possession for export without licence 15,000 squid.	„ „ „
Dec. 5 ...	William Brake ...	Sydney, Gloucester.	Larceny of one fleet of herring nets and gear, value $60, the property of Joseph Durnford.	$75. Imprisoned three months.
„ ...	George Tobin, schooner " Colonial."	„ „	„ „ „ „	„ „ „
„ ...	Joseph Querk, schooner " Colonial."	„ „	„ „ „ „	„ „ „
„ ...	Colin Walsh, schooner " Colonial."	„ „	„ „ „ „	„ „ „

SCHEDULE showing the Number of United States Fishing Vessels that have arrived at the Bay of Islands seeking Herring Cargoes for the Season of 1906.

Name of Vessel.	Tons.	Men.	Boats.	Nets.	Port of Registry.
"Parthia"	77	35	9	30	Gloucester.
"Tattler"	135	40	9	54	"
"Patrician"	92	38	10	65	"
"H. M. Stanley"	83	27	9	45	"
"A. M. Nicholson"	100	29	11	50	"
"Ralph L. Hall"	84	38	12	55	"
"Dauntless"	77	20	10	50	"
"Maxime Elliott"	72	50	10	50	"
"Judique"	89	38	15	75	"
"Independence"	109	32	12	48	"
"Corsair"	87	28	10	40	"
"Colonial"	79	26	9	40	"
"Harry Nickerson"	83	36	10	50	"
"Essex"	84	37	9	50	"
"Lena and Maud"	75	40	12	60	"
"Veda McKeown"	89	40	12	60	"
"George Campbell"	96	40	11	60	"
"Ralph F. Hodgdon"	69	10	6	18	Eastport.
"Constellation"	94	33	9	45	Gloucester.
"Richard Wainwright" ...	94	33	8	45	"
"Esperanto"	100	33	8	45	"
"Avalon"	88	33	8	45	"
"Saladin"	89	32	11	55	"
"Precilla Smith"	89	37	8	40	"
"Gossip"	88	37	8	40	"
"Sceptre"	90	37	8	40	"
"Lucinda J. Lowell"	70	37	8	40	"
"Vigilant"	60	10	1	—	"
"Norma"	77	22	8	35	"
"Titania"	77	31	11	55	"
"Arkona"	97	30	10	50	"
"Normahal"	87	30	7	42	"
"Corona"	82	19	5	20	"
"Maxime Elliott"	72	10	1	—	"

Name of Vessel.	Tons.	Men.	Boats.	Nets.	Port of Registry.
“ Ingomar ”	100	29	10	40	Gloucester.
“ Smuggler ”	91	9	—	—	„
“ Arcadia ”	90	25	8	40	„
“ Senator Gardner ”	90	9	—	—	„
“ Dora A. Lawson ”	98	9	—	—	„
“ Talisman ”	98	9	—	—	„
“ Oregon ”	79	28	9	36	„
“ Annie M. Parker ”	84	29	9	38	„
“ Valkyrie ”	104	30	10	40	„
“ Arabia ”	80	20	8	40	„
“ Lewis H. Giles ”	80	23	10	40	„
“ M. B. Stetson ”	94	17	8	36	Bucksport.
“ Elizabeth N.”	102	26	9	40	„
“ Lottie G. Merchant ”	79	9	1	—	Gloucester.
“ Madonna ”	79	14	7	28	„
“ Helen F. Whitten ”	94	9	1	—	„
“ Bohemia ”	89	9	1	—	„
“ Ingomar ”	100	9	1	—	„
“ Sarah C. Wharf ”	26	4	1	—	Boston.
“ Aloha ”	100	20	8	60	Gloucester.
“ T. M. Nicholson ”	90	25	8	60	Bucksport.
“ Athlete ”	9	9	1	—	Gloucester.
“ J. J. Flaherty ”	104	9	2	—	„
“ Maggie and May ”	88	8	1	—	„
“ Alice R. Lawson ”	86	9	1	—	„
“ Jennie B. Hodgdon ”	79	8	2	—	„
“ Margaret ”	79	8	1	—	„
“ Oregon ”	79	8	1	—	„
“ Blanche ”	78	8	1	—	„
“ Smuggler ”	78	8	1	—	„
“ Arcadia ”	90	8	—	—	„
	5,632	1,493	425	1,995	

SCHEDULE showing the Number of Canadian Vessels that have arrived at Bay of Islands seeking Herring Cargoes for the Season of 1906.

Name of Vessel.	Tons.	Men.	Boats.	Nets.	Port of Registry.
"Laura C. Zwicker"	85	20	8	32	Lunenburg.
"Mary A. Duff"	90	24	8	32	"
"Speculator"	90	53	15	60	"
"Flo F. Madder"	99	45	15	60	"
"Defender"	98	38	10	40	"
"Colonial"	98	67	20	100	"
"Mary E. Sqartz"	98	50	17	85	"
"Roanoke"	99	45	16	67	"
"Loyal"	99	33	16	80	"
"Glenwood"	98	29	8	40	"
"Alma Nelson"	99	53	15	60	"
"Yukon"	99	53	15	60	"
"Eva June"	99	8	—	—	"
"Palatial"	99	7	—	—	"
"Lila B. Hurtle"	99	7	—	—	"
"Havana"	99	7	—	—	"
"Mary W. S."	87	25	8	40	"
"Beatrice S. Mack"	99	8	—	—	"
"Mariner"	99	8	—	—	"
"Ethel"	99	8	—	—	"
"Madeira"	99	7	—	—	"
"Muriel M. Young"	99	8	—	—	"
"Helen Vair"	99	18	8	32	Liverpool.
"J. K. Manning"	200	18	5	40	United States.
"Peerless"	95	7	1	—	Lunenburg.
"Coronation"	98	9	1	—	"
"Mary W. S."	87	5	1	—	"
"Mariner"	99	7	1	—	"
	2,917	677	188	828	

WINTER HERRING FISHERY.

In October the S.S. "Fiona" was ordered to proceed to Bay of Islands in connection with the herring fishery then about to begin. On our arrival at Bay of Islands, on the 14th October, we found the United States steamer "Potomac" and some seven American fishing vessels had arrived, and that the fish were just beginning to school in around Woods' Island. There was considerable hesitation on the part of our fishermen before they would engage to go on board American vessels to fish. The advertisement from the Atlantic Fish Company, operating at Benoit's Cove, Bay of Islands, stating that they were prepared to handle all the fish that they could get to purchase induced our fishermen in this course, and they did not in the early season engage in large numbers with the Americans. Up to within a few days of the end of the season there was sale for all the herring that was caught. The accident to the Atlantic Fish Company's steamer interfered considerably with their work and caused them to cancel the charter of a number of vessels which were on their way to Bay of Islands. The large number of local fishermen that went on board the American fishing vessels in December interfered considerably with the catch and quantities purchased by British vessels. The prices realised by the fishermen who shipped outside the three mile limit and formed a part of the crew of American fishing vessels was the smallest, and the remuneration for their labour when compared with that which was realised by the fishermen of St. George's, who do not sell any herring from their nets (they cure and pack them and either take them to market themselves or send them on freight). The great difference in the remuneration to our fishermen will be seen by the following figures :—

	10,238 barrels of herring taken to market in 13 local craft realised	$46,208.00
	6,000 shipped on freight brought another	24,000.00
making	16,238 barrels shipped direct to market	$70,208.00

whereas 45,200 caught for Americans and sold to American agents realised only $81,943.00.

The value of the catch to the Gloucester people would be as follows :—

65 American vessels took 47,957 barrels bulk herring, all cleared for Gloucester, and sold thereat $4.50 and $4.75 per barrel.

47,957	barrels bulk herring, value	$215,806.00
4,132	barrels pickled herring, value, Gloucester	20,660.00
18,260	barrels frozen herring, value, Gloucester	127,820.00
70,349		$364,286.00

Ten British vessels chartered by American agents whose cargoes were cleared for Gloucester, New York, and Boston :—

4,880	barrels salt bulk herring, value in Gloucester	$21,960.00
1,520	barrels pickled herring, value in Gloucester	7,600.00
3,626	barrels frozen herring, value in Gloucester	25,200.00
10,026		$54,760.00

Penguin and Middle Arms offer splendid facilities for a few good herring curing stations. There would be a continuous supply of fish for the stations for at least nine months out of the year. Some of the most enterprising fishermen of Bay of Islands who are this season fishing for the Americans told me that they were not going to sell the herring green another season, they would follow the example of the St. George's fishermen and cure and pack their own catch, as the fishery is much more valuable to the Bay St. George men than it is to the Bay of Islands fishermen, who ship with the Americans or sell their catch green to the Canadians. Mr. B. Brake, whose station is in Jenning's Cove, told me that for the past twenty-two years himself and his two sons have caught and cured on an average of sixteen hundred barrels of herring each year, and he is of opinion that you would get herring all the season round inside the islands. You can always count on having them in Goose, Penguin, Middle and North Arms at least nine months out of the year. Mr. Brake's earnings have been from $2,000 to $3,000 a year for the twenty-two years that he has been operating his station and catching herring. Brake's herring are put up in packages made by himself and sons; great care and attention is given to the cure and pack, and he has an unlimited demand for all he can put on the market, but would be glad to get some information from our Fishery Expert, Mr. Mair, on the Scottish method of cure, so that he might give it a trial.

There was a number of our fishermen who shipped on board of American vessels. The terms offered this season are different. The men are paid $1.25 per barrel for their herring, but are charged and have to pay for their nets and gear, should they lose them. While this measure was in a way necessary for the American captains in protecting the interests of their owners, it has led to evil practices on the part of some of the American fishermen, who are inexperienced in the work, and often lose their nets through carelessness and want of knowledge of the local situation. They would then, knowing that they would be charge with the price and value of the nets, resort to unlawful means to make good their loss, by stealing the nets of their fellow-workers. We have had many complaints of nets being stolen. Some instances nets, mooring and all were taken away, and in others the nets would be untied and taken away, leaving moorings and buoys.

Herring has been fairly plentiful. The weather has been stormy with severe frost in the latter part of November, which continued with little cessation all through December. Ice formed in all the arms and interfered very much with fishing operations.

The S.S. "Fiona" was engaged on the 30th day of November and on the 1st and 2nd of December in Penguin and Goose Arms breaking the ice and freeing the nets, boats and gear of the fishermen. In the ship's present condition she is not fit to contend with ice, and should be protected with sheathing. Our work around the coast in the early spring makes it absolutely necessary that the vessel should have some protection from ice contact.

His Majesty's Warship "Brilliant," Captain Anstruther, arrived at Birchy Cove and remained there all the time with the exception of one cruise into Cox's Cove, Middle Arm. She left Birchy Cove on the 10th December. I called on Captain Anstruther several times, and gave him any information I had in reference to the fishery and conditions of things.

On Saturday, 27th day of October, I went on board the "Brilliant" and had some conversation with Captain Anstruther *re* the herring fishery. He showed me the text of the *Modus Vivendi*. He also informed me that Mr. Alexander, of the United States steamer "Potomac," and himself were drawing up rules and regulations for the guidance of the herring fishery then in progress. The agreement between the parties was to be mutual. Captain Anstruther was to sign the regulations on behalf of the Newfoundland and Canadian fishermen, and Mr. Alexander was to sign on the part of the American fishermen.

The new regulations made by Captain Anstruther and Mr. Alexander were as follows:—

1. The use of purse seines is forbidden inside of the heads.
2. No Sunday fishing to be allowed.
3. No person to fish between sunset and sunrise.

I do not believe that those regulations were finalized, as it was realised that it would be impossible for Captain Anstruther and Mr. Alexander to carry them into effect. By those regulations our local Fishery Rules and Laws were to be ignored. On Wednesday, 7th November, Captain Anstruther called on board the "Fiona." We had some conversation about a handbill or printed notice to the fishermen that was said to have come from him to some American captains, one of whose names was Peoples, of the Gloucester fishing schooner "Saladin." Captain Anstruther informed me that some American captains and some of our fishermen did call on him and asked him about continuing the shipping of men outside the three mile limit. This was the day after we posted official notices *re* persons violating the sections of the Bait Act mentioned in the posters. Captain Anstruther informed me that he read extracts from the *Modus Vivendi*, and told them that they could ship. He also stated that the captains must have given the extracts to the press at Bay of Islands and had them printed.

For some days previous to the 2nd December there was a report current amongst the fishermen that Captain Anstruther was going to settle the fishery dispute between the Newfoundland fishermen and the Americans. A circular, dated 29th November, and signed by Captain Anstruther, was addressed to the fishermen and distributed from H.M.S. "Brilliant," a copy of which I enclose.

Three of the American fishing vessels, "Annie M. Parker," "Vigilant" and "Saladin" made an attempt to use purse seines outside of Woods' Island, and did haul a few barrels of herring. Some few other vessels had seines. After the early days of October none of those vessels made any attempt to use purse seines, as they knew well that they would not be a success in the Bay of Islands winter herring fishery. I do not think the American fishermen were at any time serious about the use of purse seines. The threat to use them was made by the Americans for purposes of their own, and it certainly seemed to work out the end they had in view.

The American captain and agents gave up using purse seines, not because it was a breach of our Fishery Rules and Regulations, but because they were told by our fishermen that if they continued to use them they would leave their vessels.

When the fishermen were engaged outside the limit this season the men were told that they would have to pay for their nets and gear. Near the conclusion of the fishery several of the Gloucester captains and agents were told by me that as the nets and gear belonging to their vessels were all admitted duty free when used *bonâ fide* for fishing purposes on and from their vessels and not to be landed, and that if this gear was sold to the fishermen and landed from their vessels, that it would be seized, and that the vessel would be liable, under the Customs Laws, to detention and fine. None of the agents except J. V. Bonia, who is acting for Pew Gordon and Company, of Gloucester, charged their men with any gear. We have the names of the fishermen who landed gear from Pew Gordon and Company's vessels, but it was too late this season to take any action against those vessels when the offence was committed. Prosecutions are now pending against them. Large quantities of stores and outfits, such as rubber boots, oil clothes, nets, shirts, tobacco, &c., were supplied and sold from the "Oregon" and "A. E. Whyland," of Gloucester. This demoralizing traffic led to disturbances, and was no doubt the cause of one poor fellow losing his life.

On the 24th December there was a number of fishermen on board the "A. E. Whyland," and liquor was sold to them by the cook of that vessel. When leaving to go on board their own vessels the man was drowned. He belonged to the S.S. "Potomac." On the following day the agent for the vessel "Carl C. Young" went on board the "A. E. Whyland" and destroyed some 20 gallons of liquor that the cook had put up in kerosene oil tins and stowed away in the forecastle. Under the present state of things the Customs authorities have not the same strict supervision over those vessels that is absolutely necessary for the protection of our revenue and to prevent smuggling.

On Thursday, the 15th day of November, complaint was made against two of our men named Dubois and Crane, of Woods' Island, who had shipped on board the Gloucester fishing schooner "Ralph L. Hall" outside the three mile limit, and then fished herring on board the said vessel. They were charged before Magistrate March with a violation of the Bait Act, and were convicted and fined in the sum of $500.00 or three months' imprisonment. An appeal was made against the Magistrate's decision, and will be heard before the Supreme Court in January.

On the 3rd day of December, Joseph Durnford, master of the schooner "Maggie," of Burin, came on board the "Fiona" and made complaint before me that two fleets of nets were stolen from him on Sunday, 2nd December. I took a deposition from Durnford, and a warrant was issued for the arrest of four men belonging to the schooner "Colonial," of Gloucester, Charles Smith, master. The two fleets of nets were recovered with the gear belonging to them. Up to the 3rd December we only had two complaints of nets being stolen, and one carried away by a Gloucester schooner. The nets that were stolen we recovered, and the accused parties were punished. The net that was taken away by the schooner was replaced by the captain at my suggestion. On the 7th December, Mr. Moore, schooner "Mayflower," Bonne Bay, reported on board the S.S. "Fiona" that he had picked up a fleet of nets. He gave me the marks, and we advertised the same, when the nets were returned to the owner, James Hadlon.

NUMBER OF CANADIAN FISHING VESSELS SAILED WITH HERRING CARGOES.

Name of Vessel.	No. of Barrels Bulk.	No. of Barrels Pickled.	No. of Barrels Frozen.
"B. G. Anderson"	1,200	46	—
"Mariner"	1,100	—	—
"Beatrice S. Mack"	1,100	180	—
"Mary W. S."	1,000	15	—
"Unique"	1,150	20	—
"Havana"	900	500	—
Carried forward	6,450	761	

Name of Vessel.	No. of Barrels Bulk.	No. of Barrels Pickled.	No. of Barrels Frozen.
Brought forward	6,450	761	
"Lila B. Hurtle"	1,638	50	—
"Flo F. Madder"	1,200	150	—
"Colonial"	1,500	150	—
"Palatial"	850	400	—
"Ethel"	1,400	150	—
"Maggie M. W."	1,150	7	—
"Defender"	800	420	—
"Loyal"	1,255	75	—
"Britannia"	900	200	—
"Nightingale"	487	80	—
"Roanoke"	1,800	—	—
"Eva June"	—	72	800
"Coronation"	—	—	800
S.S. "Harlaw"	—	6,000	300
S.S. "Atlantic"	—	90	—
"Glenwood"	1,000	300	—
"Mary Duff"	900	10	—
"Alma Nelson"	—	48	800
"Mindora"	—	550	—
"Athlcne"	—	954	—
"B. G. Anderson"	—	—	650
"Minnie G. Smith"	—	90	500
"Harry Lewis"	975	—	—
"Muriel M. Young"	—	100	870
"Peerless"	—	125	850
"Madeira"	1,680	—	—
"Ontario"	—	25	550
"Yukon"	—	50	900
"Burnham H."	—	—	600
"Mariner"	—	25	500
"Helen Vaire"	—	—	750
"Willis C."	20	100	550
"Speculator"	—	—	600
"Romeo"	—	—	380
"Bohemia"	—	—	520
Total	24,005	10,982	10,900

Number of Gloucester Fishing Vessels Sailed with Herring Cargoes.

Name of Vessel.	No. of Barrels Bulk.	No. of Barrels Pickled.	No. of Barrels Frozen.
"Maxime Elliott"	900	300	—
"Ingomar"	1,800	—	—
"Smuggler"	1,450	—	—
"Arcadia"	1,200	—	—
"Senator Gardner"	1,304	7	—
"Dora A. Lawson"	1,300	150	—
"Talisman"	1,370	130	—
"Oregon"	1,300	—	—
"Annie M. Parker"	1,700	—	—
"Valkyrie"	1,300	100	—
"George Campbell"	1,256	19	—
"H. M. Stanley"	1,150	100	—
"Independence"	2,000	—	—
"Esperanto"	—	100	1,100
"Arabia"	1,400	80	—
"H. Nickerson"	1,150	100	—
"Lucinda Lowell"	1,150	22	—
"Ralph L. Hall"	1,500	100	—
"Normahal"	1,200	40	—
"A. M. Nicholson"	1,500	100	—
"Essex"	500	—	—
"Lena and Maud"	1,050	60	—
"Ralph D. Hodgdon"	500	—	—
"Dauntless"	1,100	—	200
"Corsair"	1,500	—	60
"Precilla Smith"	—	—	700
"Patrician"	1,550	100	—
"Richard Wainwright"	—	100	900
"Colonial"	—	200	400
"Judique"	1,200	—	100
"Parthia"	62	28	600
"A. E. Whyland"	1,200	—	300
"Madonna"	600		400
"Maxime Elliot"	100	—	900

Name of Vessel.	No. of Barrels Bulk.	No. of Barrels Pickled.	No. of Barrels Frozen.
"Avalon"	—	70	400
"Norma"	—	400	400
"Bohemia"	—	50	400
"Lottie G. Merchant"	120	60	500
"Alice R. Lawson"	125	—	825
"Blanche"	400	—	510
"Maggie and May"	725	60	375
"Margaret"	—	60	670
"Oregon"	—	85	670
"Veda McKeown"	200	330	—
"Sceptre"	1,600	—	—
"Corona"	400	500	400
"Arcona"	1,500	—	—
"Constellation"	650	—	—
"Tattler"	300	100	600
"Titania"	1,100	6	—
"Ingomar"	200	200	700
"Gossip"	1,150	100	—
"Athlete"	115	—	800
"Smuggler"	—	—	300
"Saladin"	500	—	—
"J. J. Flaherty"	1,100	—	—
"Helen F. Whitten"	700	—	—
"Vigilant"...	—	—	100
"Esperanto"	—	100	1,100
"M. G. Steatson"...	400	150	600
"Elizabeth N."	400	150	800
"Aloah"	250	100	850
"T. M. Nicholson"	700	125	800
"Jennie B. Hodgdon"	—	100	800
"Arcadia"...	130	—	—
Total	47,957	4,132	18,260

There were six hundred and eighty of our fishermen shipped on board the Gloucester fishing vessels outside the three mile limit, twenty-three at St. Pierre, seventy-seven at Sydney.

There were sixty-five American vessels took cargoes or part cargoes from Bay of Islands. Twenty-seven Canadian vessels and fifty-five local vessels were engaged in the winter herring fishery in those arms.

The Americans fished 1,995 nets, and from the Canadian vessels there were 828 nets fished by local fishermen. The Canadian did not fish, they purchased their cargoes. From our fifty-five local vessels there were 991 nets fished, and our local fishermen who were on shore fished 400 more, making a total of 147 vessels, 11,058 tons, 2,919 men, 904 boats and dories and 4,214 nets.

Summarised as follows:—

——	No.	Tonnage.	Men.	Boats and Dories.	Nets.
American vessels engaged ...	65	5,632	1,494	425	1,995
Canadian vessels engaged ...	27	2,917	677	188	828
Local vessels engaged	55	2,509	577	231	991
Men stationed on shore ...	—	180	180	60	400
Total	147	11,058	2,928	904	4,214

The season did not close until the 13th of January, when all the American fleet except three, "Elizabeth N.," "M. B. Stetson" and "T. M. Nicholson" left the arms on their way home. Those three vessels, with two British vessels, "Speculator" and "Bohemia," will, in all probability, have to winter in Bay of Islands.

COMPARATIVE STATEMENT OF THE QUANTITIES OF HERRING EXPORTED FROM BAY OF ISLANDS DURING THE SEASONS OF 1904, 1905 AND 1906.

SEASON 1904.

——	Bulk.	Fresh.	Frozen.	Pickled.	Value.
11 British vessels took cargoes	3,750	23	2,257	10,678	$ 42,256
67 American vessels took cargoes	60,960	3	19,690	8,054	143,581
	64,710	26	21,957	18,732	185,837

Total fishery for 1904 ... ... 64,710 barrels, bulk.
26 „ fresh.
21,957 „ frozen.
18,732 „ pickled.
105,425 „ Total value $185,837.

SEASON 1905.

——	Bulk.	Pickled.	Frozen.	Value.
39 British vessels took cargoes ...	19,223	6,408	13,230	$ 69,712
43 American vessels took cargoes ...	24,900	1,980	19,900	74,762
	44,123	8,388	33,130	144,474

Total fishery for 1905 ... ... 44,123 barrels, bulk.
8,388 „ pickled.
33,130 „ frozen.
85,641 „ Total value $144,474.

SEASON 1906.

———	Bulk.	Pickled.	Frozen.	Value.
				$
65 American vessels took cargoes ...	47,957	4,132	18,260	268,596
41 British vessels took cargoes ...	24,005	10,982	10,900	183,548
	71,962	15,114	29,160	452,144

Total fishery for 1906 ... ... 71,962 barrels, bulk.
15,114 „ pickled.
29,160 „ frozen.
116,236 „ Total value $452,144.

I have, &c.,
JOSEPH O'REILLY,
Inspector, R.P.S.

Hon. Eli Dawe,
Minister of Marine and Fisheries.

SIR, H.M.S. "Brilliant," at Birchy Cove, November 29, 1906.

I SHOULD be obliged if you would tell me in a few words what in your opinion would be a satisfactory and final solution of the winter herring fishery dispute between Newfoundland and the United States of America.

I take it that there are six distinct points of view :—

1. That of the Newfoundland fishermen.
2. That of the Canadian fish merchants.
3. That of the American fishermen.
4. That of the Newfoundland Government.
5. That of the United States Government.
6. That of the British Government.

Mr. Alexander is finding out No. 3, and has promised to let me know the result.

I should like to know No. 1, and would thank you to help me.

I am, &c.,
ROBERT H. ANSTRUTHER,
Senior Naval Officer,
Newfoundland Fisheries.

Captain Samuel Ballam,
Birchy Cove,
Bay of Islands.

No. 50.

THE GOVERNOR-GENERAL OF CANADA to THE SECRETARY OF STATE.

(Received February 26, 1907.)

MY LORD, Government House, Ottawa, February 11, 1907.

I HAVE the honour to enclose, for your Lordship's information, copy of an extract from the House of Commons' Debates (Unrevised Edition) containing the report of a statement made by the Prime Minister, as well as of the speech which elicited it, in regard to the attitude of Canada towards the difficulty between the United States and Newfoundland over the Atlantic fisheries question.

I have, &c.,
GREY.

Enclosure in No. 50.

HOUSE OF COMMONS DEBATES.

THIRD SESSION—TENTH PARLIAMENT.

Vol. XL.] Friday, February 8, 1907. [No. 42.

INTERNATIONAL RELATIONS.

Mr. E. N. Lewis (West Huron). Mr. Speaker, I wish to bring to the attention of the House and more especially to the attention of the Right Honourable the Prime Minister, certain matters of importance concerning our international relations, and the mode in which negotiations are at present conducted, between Canada, Newfoundland and the United States. Last fall it was stated by President Roosevelt, that in his opinion Canada should have a representative of her own at Washington, and while that may or may not be true, there is no doubt whatever that the present system of conducting international affairs is not satisfactory. I am the grandson of one of those men who left the United States and followed the flag to Canada, and I take second place to no man in this House or out of it in my loyalty to that flag under which I live. But this is not a question of loyalty, it is a question of the proper conduct of our business relations with our nearest trade competitors, the United States. The system of doing business in the Western Hemisphere is as different as daylight from dark, from the system in vogue in the mother country. We have new customs here, we live close to the United States, we associate with the people of that country, we intermarry with them, and we have all kinds of reciprocity with them except reciprocity in trade and commerce. We live under different conditions here from what they do in the motherland, and I believe we are better able to conduct our international relations with the United States than are the statesmen of England who breathe another atmosphere. While I personally am not in favour of having a Canadian representative at Washington, I still think that there are many questions which could be well settled by us for ourselves. If we can delimit the boundaries of our lakes and regulate the international character of our waterways, why should not other questions be determined by us? I say here, and I say advisedly and after considerable thought, that the mother country does wrong, Downing Street does wrong, when it announces to the United States that no colonial dispute must interfere between the present friendly relations existing between those two countries. And, if the home government does not state that, it allows the statement to go in the press without contradiction. It has been announced to the world that no fisheries dispute between Canada and the United States will endanger friendly relations, but that is not what Great Britain said when two of her fishermen were killed by the Russian fleet in the North Sea. I repeat that the Home Government does wrong to us, does wrong to herself, does wrong to the United States, when it allows it to be inferred from published statements that there will be no interference with the rampant press of the United States, conducted by the foreign element who are constantly endeavouring to twist the lion's tail. I believe that there are broad-minded statesmen in the United States who would not act as they have done under political pressure were it not for the silence of the mother country in these matters. If England would only say to the United States, Canada and Newfoundland must have a square deal no matter what it costs; and that the disputes between us must be adjusted by a tribunal of eminent jurists, if England only said that, it would conduce to the peace of the whole world. I was glad to hear it said by Secretary Root, that eminent statesman, that there were two nations on this continent moving along side by side for the peace of the world; one Canada the other the United States. The course of the United States in international matters has not been such as to command our admiration. Look at what happened in connection with Newfoundland. In 1905 and 1906, Newfoundland passed certain laws affecting her own people, and the United States immediately sent a mandate to the British Ambassador at Washington for transmission to Downing Street declaring that on no ground whatever should American fishermen in Newfoundland waters be interfered with. I was first under the impression that Great Britain took action without the knowledge of the Newfoundland Legislature, but I have since found that the action was taken with the knowledge of Newfoundland, but against her written protest, and that action resulted in granting to the United States for one year every privilege which the United States asked for. The United States has possession of the Newfoundland fisheries and you all know that possession is nine points of the law. The Colonial Office even granted something which I was glad to see Senator Lougheed in our Senate last November said was absolutely unallowable, and which afterwards the United States said they would not press for and admitted that it was something they had no right even to ask for. May I be permitted to quote the comments of two or three of the leading English newspapers on this matter which I find in an associated press despatch to the Toronto "Globe":—

> Canadian Associated Press cable.—London, Monday, December 10.—The publication of the correspondence on the Newfoundland fisheries question is dealt with editorially by the leading morning papers.
>
> The "Times" says the correspondence is not very satisfactory reading, the most obvious thing is that the question of possible difficulties ought to have been foreseen and fully discussed between Newfoundland and the Foreign Office, and the nature of the desired solution, provisional or permanent, arrived at by common consent. As it was, we seem to have been so frightened by Secretary Root's aggressive tone regarding the imminence of the fishing season that we not only hurriedly gave away a point on which the Colony laid most stress, but also took a line which involved us in distinct interference with the power of the Colony to legislate over her own citizens.

The "Times" hopes the Colonial Conference will seriously raise the great question of an Imperial Council, and urges the need of a strong tribunal to determine appeals from the Colonies.

The "Advertiser" says whenever a question of this sort arises the Colonies always get the worst of it, because there is a consideration outside of the narrow Colonial view of the position eminently unsatisfactory, as this country seems to be always making concessions. There is no remedy but Imperial federation.

The "Standard" says: The Newfoundland Government is entirely right when it asserts that Americans having rights in common with native fishermen are equally bound with them. If bound, the ministers have shown themselves unduly stiff-necked. The "Standard" feels bound to condemn the weak attitude of the Imperial Government.

The "Observer" says the correspondence forms anything but pleasant reading to intelligent well-wishers of the Empire and the Union. We cannot but feel that once more we bent the knee in deference to American interests. In vulgar parlance, we "threw the Colony down."

I was also glad to see that in December last the Toronto "Globe" advocated, in our self-defence, a change in the manner of conducting negotiations. I find also that the Ottawa "Citizen" takes the stand that Canadians are perfectly willing that the friendly relations between Canada and the United States should be continued, provided Canada does not supply the cement.

In the year 1857 Newfoundland was being treated in the same way by the Home Government; and the Newfoundland House of Assembly, on March 4, 1857, sent the Honourable John Hunt and the Honourable Frederick Carter, afterwards Sir Frederick Carter—a gentleman with whom I have the honour to be somewhat related—as delegates to the neighbouring Colonies to enlist their sympathies in her course and asked their assistance. The Honourable Ambrose Shea—one of the brightest men of that day—also made a stirring speech on the question, and the provinces passed resolutions of sympathy strongly condemnatory of the action of the Colonial Office. What was the result? These appeals were successful, and the Colonial Office withdrew its obnoxious ruling. Now, Sir, this is no time for beating about the bush, this is no time for treacle or technicality. We are two nations situated side by side, growing up side by side, and we have greater interests in this hemisphere than either the motherland or any other nation. That Monroe doctrine, which has always been attributed to President Monroe, but which, as my honourable friend from St. John (Mr. Stockton) has shown in his brochure on the subject, really originated with Mr. Canning, the Prime Minister of Great Britain—that doctrine which declares that no European nation should be allowed to interfere with any republic or any other nation on this continent, has just as great an interest for us as for the United States. We have as much right to the application of that doctrine as has the United States, and in having our own matters left to the negotiations of the British Colonial Office is simply tantamount to ploughing the sand, and can be of no good purport whatsoever. This is no time for shilly shallying. This is no time for beating about the bush or for treacle or technicalities, and I ask the Right Honourable the First Minister to rise in his seat in the Parliament of Canada and say for himself and, as far as his position allows him to speak for the country—I ask him to declare to the world at large that this Parliament and the people of Canada are in sympathy with our brothers down by the sea, and that we will, so far as it may lay in our power, assist them to secure justice and fair-play; and I feel sure, Mr. Speaker, that every honourable member in this House and the people of Canada will stand by him in so doing.

Right Honourable Sir Wilfrid Laurier (Prime Minister). The question to which my honourable friend has called the attention of the House is a very delicate one, and one regarding which, even after the earnest appeal he has made to me, I feel some hesitation in making any pronouncement. It so happens that our sister province of Newfoundland is now involved in considerable diplomatic trouble with our neighbours to the south, but as this trouble is now in the hands of the Colonial Office and the British diplomatic service, who unfortunately are not dealing with it in a manner satisfactory to our sister Colony, I do not see how we can interfere at present, although, of course, the sympathy of all Canadians is with the people of Newfoundland. My honourable friend referred to an incident which took place in 1857, when the Colony of Newfoundland sought the help and assistance of her neighbouring Colonies and obtained that help and assistance for the settlement of their dispute. But in the present instance the Colony of Newfoundland has not sought the assistance of the neighbouring provinces, no doubt for good reasons of her own, and probably the chief reason is that the time is premature, that matter now being in the hands of the diplomatic body. But quite apart from that, and without attempting at all——

Mr. Lewis. I have no wish to interrupt the right honourable gentleman, but would he allow me to say that a little fruit and wine before the person is dead is much better than flowers afterwards.

Sir Wilfrid Laurier. My honourable friend is altogether too pessimistic, and would do well to bear in mind the old adage: Make haste slowly. There is not a Canadian who does not deeply sympathize with Newfoundland; and if the time should come when that Colony would desire our help and assistance, I am sure that every one in this country would be only too glad to do what he could to assist her. The reasons for this sympathy are obvious. First of all, the people of Newfoundland are our fellow-subjects; and, secondly, in the dispute now going on, they are the weaker body, and the sympathies of any man, who is a true man, always go out to the weaker. But there is more than that. The rights which Newfoundland is now claiming are very much our own. The quarrel which Newfoundland has to-day with the United States is not at present our quarrel, but at any moment it may become ours. The rights claimed by Newfoundland are founded on the treaty of 1818, which was discussed a few days ago in this House. It would not be right for me to go over that debate, but I may be permitted to recall this fact, namely, that Newfoundland adopted and kept in force during some years the *Modus Vivendi* which was recommended by the diplomatists, Sir Charles Tupper and the Right Honourable Joseph Chamberlain, who negotiated a treaty with the United States in 1888, but which treaty unfortunately was not sanctioned by the American Senate. We have thought it well to maintain the *Modus Vivendi* up to the present, but Newfoundland has thought proper to repeal it, and we have no comment to make on her course in that respect. No doubt she took it for sufficient motives, just as we have continued that arrangement from year to year for reasons we thought best in our own interests.

The *Modus Vivendi* might be repealed at any moment; and if it were repealed, we should have the same difficulty with the United States that the Newfoundland people have with them to-day. But I am glad to say that our difficulties with our neighbours on the south are not to be of long duration, in that respect. Time is the great solver of difficulties, and I foresee, that, before many years, the difficulty we have had will be overcome. The treaty of 1818 reserved to the Canadian people the basis of operation in the prosecution of the fisheries. The American fishermen are not allowed to come into Canadian harbours except for four objects alone—for wood, for water, for shelter or for repairs. For no other purpose whatever can they enter our harbours. It is a matter known to everybody that for years and years, we offered to exchange advantages with our American neighbours, if they would agree—that is, we would share with them the basis of operations for carring on the fishing industry if they would share with us their market. The American people, for reasons of their own, have refused to share their market with us. I recollect very well, that, when I entered parliament many years ago, the disposition of members coming from the maritime provinces, and of the Canadian people generally, was to sacrifice a good deal in order to secure access for our fresh fish to the American markets. But I am glad to say that, year by year, that feeling is passing away. We shall have, by and by, a market for fresh fish in our territory without having to seek it in a foreign country. We have to-day, in Canada, on this side of Lake Superior, a population of five millions. We have two large cities—Montreal and Toronto. We have four cities of the second class—Quebec, Ottawa, Hamilton, and London. We have dozens of smaller cities of from five thousand to twenty thousand people. The moment we are able to solve the problem of the transportation of fresh fish in cold storage, from that moment we shall not look to Washington or to Boston for our markets, but we shall find our market in Canadian territory. The day is not far distant when, in this as in other important respects, we shall have our own market and when that market will demand more and more. The day is coming—perhaps it has already come—when, if the Americans were to offer us exchange for exchange, their market for our basis of operation, I am not sure that the Canadian people would be ready to accept. I am sure that in a few years we shall not be willing to accept. When the day comes to which I look forward, the problem of Newfoundland and Canada will be solved. We shall be able to offer to our brothers in Newfoundland a market in our own country. It is true that that day is yet at some distance. But, in the meantime, the difficulty that they have at the present moment is in the hands of the diplomatic body. Right Honourable James Bryce has instructions to deal with this matter and he is sailing on the 13th of this month for the United States. He will deal with the question, I hope, in a manner satisfactory to the people of Newfoundland. Now, we have come to this position in our relations with the people of the United States—we can never conceive of war between us, or of war between Great Britain and the United States. We mean to settle all our difficulties with that nation by peaceful means, by diplomatic action, by negotiation, but never by the arbitrament of war. That is the condition. I have only to say, and I believe that in this I voice the feeling of every citizen of Canada, that towards the solution of their difficulty we desire to help the people of Newfoundland, as far as in our power lies.

No. 51.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received March 6, 1907.)

MY LORD, Government House, St. John's, February 13, 1907.

I HAVE the honour to enclose, for your information, a copy of the business paper of the House of Assembly for Tuesday, the 12th instant, on which your Lordship will observe the text of a notice of motion by my Prime Minister, to move that the House consider in Committee of the Whole an address to the Right Honourable the Principal Secretary of State for the Colonies, in the matter of the *modus vivendi* recently entered into between His Majesty's Government and the Government of the United States with respect to the conduct of the herring fishery on the West Coast of this Colony.

2. I also forward a copy of the Address* in question, which was moved by my Prime Minister at the sitting of the House on the 12th instant, in a speech which is said in the press to have occupied four hours in delivery.

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* Enclosure in No. 59.

It will be noticed that the Address concludes with the prayer that if "a recognition of the rights of this Colony cannot be obtained by diplomatic negotiations, then His Majesty's Government will proceed on a strict interpretation of the Treaty of 1818."

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 51.

House of Assembly, Tuesday, February 12, 1907.

Notices of Motion.

(Extract.)

Rt. Hon. Premier.—To move the House into Committee of the Whole to consider an address to the Right Hon. the Principal Secretary of State for the Colonies in the matter of the *modus vivendi* recently entered into between His Majesty's Government and the Government of the United States of America in respect to the conduct of the fishery on the West Coast of this Colony.

No. 52.

The GOVERNOR to the SECRETARY OF STATE.

(Received March 6, 1907.)

My Lord, Government House, St. John's, February 14, 1907.

I have the honour to enclose six copies of "The Evening Telegram," of St. John's, which contains a report* of the speech delivered in the House of Assembly by my Prime Minister in moving, on the 12th instant, the Address to the Secretary of State for the Colonies, mentioned in my despatch of the 13th instant.†

2. This speech is probably reported with sufficient accuracy as it was delivered on the evening and night of the 12th, and was published on the afternoon of the 13th, and must therefore have been in type before that day.

3. I am transmitting copies of the same issue of "The Evening Telegram" to His Majesty's Ambassador at Washington.

4. I also enclose six copies of this morning's issue of the "The Daily News" of St. John's, which contains *résumé* reports of speeches made last night in the House of Assembly by the leaders of the Opposition, from which it appears that they are to vote against the Address.

5. There is one personal point in these reports that I should perhaps notice: the references made to myself in the speeches of my Prime Minister and of Mr. Morison in respect of Captain Anstruther. I desire to assure Your Lordship that I have never had any differences with Captain Anstruther, who was my guest for about five weeks up to the time he left the Colony.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 52.

"The Daily News," St. John's, Newfoundland, February 14, 1907.

The Debate.

Perhaps the most noticeable feature about the debate on the Address now before the House is the lack of public interest shown in the whole business.

The Premier has spoken for nearly five long hours, and orators on either side, at length, or in wiser brevity, have expressed their views, but the people do not enthuse.

As a matter of fact, the feeling of relief that the herring fishery was saved is at present too general and genuine for the public mind to get down or up to fine constitutional issues.

Apart from this is the fear that, as a result of the Bond policy, the mainstay of the Island, the great Labrador fishery, will be endangered.

We commend the patriotic and eminently sensible speeches of Captain Charles Dawe, Leader of the Opposition, and Mr. Donald Morison, K.C., to the attention of our readers. They put the position in a nutshell, and are the words of men who know whereof they speak.

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* Revised text is printed in No. 58.

† No 51.

Assembly Notes.

Discussion of the Address was continued yesterday, and extended into an after-tea session.

The first speaker was Captain C. Dawe, Leader of the Opposition, who placed his opinions briefly before the committee. He did not intend to occupy their time extensively, for the reason that he had not had opportunity for proper study of the correspondence. Listening to the Premier's speech, he had come to the conclusion that the evils resulting to the Colony from the British authorities was very small, while the beneficial results to the Bay of Islands fishermen was very valuable, and no attempt had been made to minimize the latter.

He regarded the question as essentially a constitutional one, and, coming within the immediate scope of legal minds he would not attempt to deal with it in that light. The practical aspect of it is, as to how it affects the interests of the trade on the one hand, and of the people on the other. He was of opinion that the Foreign Fishing Vessels Act was really a result of the Premier's disappointment over the failure of the Bond-Blaine and Bond-Hay convention.

An open market sounds well. It looks all right to talk of a market for 80,000,000 American people, but it should not be forgotten that these people don't want our codfish, they catch nearly all they require themselves, and with increased bait privileges, under the proposed Bond-Hay treaty, they would not only supply their own market, but would compete with our fish in foreign markets, and by so doing, reduce the value of our fish in those markets.

Personally he thought our fishermen should be allowed to sell their fish in the most profitable markets. When Americans or anyone else are willing to pay the price in cash, nothing should be allowed to interfere with the bargain, especially in the matter of food fishes. His opinion was that we should preserve our bait for our own people, that none should be given to outsiders for any consideration. If we retained our bait, we were undoubtedly masters of the whole situation.

Americans certainly possess treaty rights. If they were denied the right of purchase they would simply make arrangements to catch themselves, so that our people would lose the chance of selling profitably. Under the Washington Treaty, the Americans came to our coast, and sold all their small fish and oil, from the proceeds of which they purchased bait. They require very large fish for their markets, and so this plan suited admirably. The Americans are reported to have recently invaded the Labrador, which was a new development calculated to work serious injury to our own people. Petitions respecting this feature would likely be presented during the present session. He believed the Foreign Fishing Act was responsible for driving the Americans to the Labrador, to the injury of Newfoundland.

He intimated that he would vote against the proposed Address, which appeared to him to be a censure of the British Government that was not deserved. He believed the British Government was anxious to conserve the interests of this Colony, but were met with treaty rights which had also to be reckoned with, and Britain would not act dishonestly towards any nation, or violate her treaty obligations. As to the rights of the Colony, they must first be established beyond doubt. He was not competent to judge of the legal aspect. Everyone was anxious and ready to support the Premier in standing out for the rights of the Colony, but such rights must not be uncertain. He would yield to none in the matter of loyalty to Crown or Colony, and thought the position set up by the Premier had not been clearly established.

The Minister of Justice delivered a strong and interesting speech, and from his standpoint, made an able argument as to the legal aspect of the trouble. Our present difficulty with the Americans and the *Modus Vivendi*, all dates back to the Treaty of 1818. He thought the *Modus Vivendi* was the direct result of the Colony carrying out a law believed to be right. Sir Edward Morris proceeded to give an exhaustive interpretation of the 1818 Treaty, quoting various authorities, and evidencing considerable research in arranging his argument. He regretted that the Leader of the Opposition could not support the Address, and pointed out the advantage of unanimity over the question.

The Minister of Finance followed, covering very much of the ground taken by the Premier and Minister of Justice. He discussed the question in its relation to the effect upon the fisheries of Newfoundland, and the effect upon British interests.

Mr. Morison contributed an interesting speech to the debate. He differed from the Premier as to the only opportunity of publishing the Government position, saying that if so important the people might have been appealed to by public meetings, for a test of opinion. The question had a more serious than the constitutional aspect, viz., the policy of the Government. A careful review of the Premier's speech was made, and points of difference dealt with.

He did not think the outside press, the great tribunal, claimed for it. Correspondents here were known, and that their despatches were coloured was notorious, so that their facts were often faulty and unreliable. He regarded the Bait Act the most important ever placed on our statute book, and the best asset we had. If we do not preserve our bait there will soon be no fishery. The people of Bay of Islands are in danger of losing their living, and there is no compensation for them.

He reviewed the difficulties with Canadian and American fishermen, extending over a number of years, and which led up to the Bond-Blaine-Hay treaties. It was possible a majority of merchants favoured these treaties, but that did not mean the fishermen, whose opinion was important. The merchants had urged an export duty on American, and a bounty to our people, and if the Government had made some such proposition, it would have aided in solving a question now vexatious. There could be no doubt that the Fishing Acts were the cause of the present trouble.

He regarded the testimony of Inspector O'Reilly and Magistrate March as being unreliable. One was engaged in detecting violations of fishery laws, the other tried and punished offenders, as in the case of Crane and Dubois. A visit to Bay of Islands would prove the Premier's statement untrue. He disputed the idea that the Premier came into power with a mandate from the people *re* this fishery dispute, and characterised as harmless the reference to it in the last manifesto.

The references of the Premier to H.M.S. "Brilliant" were unfair, and he did not think the Governor worried over Captain Anstruther's action, but was quite well able to look after himself. The fishery had ended well for all save those arrested and punished, and it had only ended favourably in so far as the British Government had stepped in to protect local men against unjust local enactments.

He intended to vote against the Address. If it were simply a protest against any invasion by the Imperial Government of our rights as a self-governing Colony he and every other member on his side of the House would be found standing shoulder to shoulder with the Premier and his colleagues. They had hoped that the Address would have taken this form, but the Premier has willed it otherwise. Whilst he regretted the necessity for the *Modus Vivendi,* he did not see what other course was open to the Imperial Government but to maintain as far as possible the *status quo ante* for the fishery season which was then about to commence. The wisdom of the Imperial Government's action has been shown by the result. The fishery had been carried on as profitably as usual, and our fishermen on the West Coast have been enabled to earn a fair season's wages, which is all they expect from the herring fishery under the most favourable circumstances.

No invasion of the position guaranteed to us by the famous Labouchere despatch of 1857 has taken place. The two cases are not parallel. In 1857 the Imperial Government had entered into and practically concluded an arrangement with France without the knowledge of Newfoundland, under which valuable and important portions of Newfoundland territory were proposed to be ceded to France. No wonder the men of that day rose in arms when the tardy news of this sacrifice of their rights was brought to them, and if the *Modus Vivendi* which they were then considering had any such operation, the patriotic heart of every man worthy of the name in Newfoundland, without regard to class, creed or political distinction, would beat in unison. There would be no need to let the question fizzle in the newspapers for four months and then bring it on the floor of the House for an expression of opinion by a partizan Assembly. The people would have acted promptly and decisively, and long before this delegates of the people would have been knocking at the doors of Downing Street and demanding that square deal which the Right Hon. the Premier has talked about. This was not done, because the people are not behind the action of the Government in the course taken by them. They recognise that they are the principal sufferers from the unwise policy of the Government and its unwise legislation of 1905 and 1906.

His position with regard to this question was very clear and very simple. He was at one with the Government in their desire to uphold in all their integrity the constitutional rights of the people of the Colony, but he was wholly at variance with them with regard to their fishery policy on the West Coast. His conviction was that the herring that come to Bay of Islands every season come there primarily for the benefit of the people of Bay of Islands, and, in the next place, for the benefit of our fishermen as may see fit to go there to earn a dollar for themselves and their families. Anything that will increase the value of the herring for these people, who risk their health, and sometimes their lives, in catching them, anything that will improve the facilities for marketing these herring at better prices, he would support to the best of his ability. Feeling convinced that the Government's policy, if persisted in, will spell ruin for the people of the West Coast, he opposed it to the utmost of his power.

With the prayer of the Address he was in accord. If a recognition of the rights of the people of the Colony cannot be obtained by diplomatic negotiations, he was strongly of opinion that the Imperial Government should insist upon a strict interpretation and enforcement of the Treaty of 1818. He had confidence, however, that the advisers of His Majesty the King, with His Majesty's wise co-operation, as was shown in the negotiations for a settlement of the so-called French Shore difficulty, will succeed before next fishing season, in settling this comparatively unimportant question without any cessation of the pleasant relations which exist between Great Britain and America. By comparatively unimportant, he meant that to the two great nations interested the pecuniary value of the question involved is not large. To our hard-working fishermen of the West Coast the question is of vital importance. It means their immediate source of livelihood. It means the difference between hard times and comparative prosperity. It means the possibility that some of them may have to go abroad for a living. He trusted, therefore, that wiser counsels may prevail, that future negotiations may be approached by our government in a better spirit than is shown by their present attitude, and that when they met there again next year they would have something more pleasant to contemplate than the possible starvation or imprisonment of our own fishermen.

He intended to vote against the Address because he did not believe for a moment that the ratification of the *Modus Vivendi* involved any infringement of the constitution of this Colony. On this point he took his stand on the principles enumerated in the despatch of the Earl of Elgin to His Excellency the Governor, which will be found at page 37 of the correspondence. He deprecated any interference by the Imperial Government with our internal affairs. He protested against it, and was prepared to follow up his protest to the full measure of his ability with active opposition. In matters of international and outside interest, however, the position was very different, and he would commend to honourable gentlemen opposite the clear and precise distinction of Lord Salisbury, referred to in the despatch quoted. The rights enjoyed by the Americans, under the Treaty of 1818, are matters of international interest, to be settled by diplomatic negotiation or by the stern arbitrament of war. In this year of grace we need not fear the latter alternative. Let them, therefore, co-operate to the best of their ability with His Majesty and his Ministers in negotiating an arrangement which will clear the future of complications and enable our fishermen on the West Coast to enjoy their heritage to the fullest and most profitable extent.

He regretted that he had not been able to more than glance at the correspondence which had been laid on the table, but hoped that he had succeeded in making his position clear to those listening to him, and that, in refusing his assent to this address, he was acting in the best interests of the people of this Colony, whose welfare he was sent to that House to conserve.

No. 53.

The GOVERNOR to the SECRETARY OF STATE.

(Received March 6, 1907.)

My Lord, Government House, St. John's, February 15, 1907.

In continuation of my despatch of the 14th instant,* I have the honour to enclose a copy of this morning's issue of the "Daily News," of St. John's, from which it will be seen that the House of Assembly divided last night on the Address to the Secretary of State, twenty members in favour of the Address and three against it. I understand that this vote was recorded in Committee.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 53.

"The Daily News," St. John's, Newfoundland, February 15, 1907.

Vote Stealing Extraordinary.

Contemptible Trick of Premier Bond.

Possibly the meanest attempt to steal a vote, ever known in this Colony, was that of Premier Sir Robert Bond last night. The debate on the Address to the Secretary of State for the Colonies had been on for three days, Captain Charles Dawe, leader of the Opposition; Mr. Donald Morison, K.C., and Mr. M. P. Cashin, had all spoken, declared against the Address, and announced their intention of voting against it. When the vote was taken in committee all three said "No," but no division was had. Being reported to the House a similar vote was taken, but by an inadvertence a division was not asked for, and Mr. Speaker declared the question to be carried. Thereupon the Premier said "Unanimously," to which the three gentlemen named replied decidedly "No." The Speaker in accordance with the Premier's suggestion, and by reason of a mere technicality, decided the vote to have been unanimous. Protests from Messrs. Dawe, Morison and Cashin were useless. The Premier wanted a unanimous vote for his purposes and was willing to get it by a "fluke." Apart from the littleness of the proceeding it was silly, because the speeches will be read, and the declarations of Messrs. Dawe, Morison and Cashin will reach wherever the Premier's speech goes. Surely in such a matter, three against twenty might be allowed that fair play and freedom of action that is the Britisher's right, and as surely, the petty, and as Mr. Cashin expressed it, "contemptible and mean" advantage taken by the Premier will deserve the condemnation outside the Legislature that was plainly manifested by those within its walls last night.

Limnings in the Legislature.

Sir Oracle has spoken in the Assembly on the objections to his pet fad by the British Government, and as his story had been well conned over since October last, if not rehearsed before a mirror, it was presented with the imperfectness of an off-by-heart deliverance, and was devoid of that kindling warmth which an appeal to the "amor patriae" always arouses in our electors. Not a scintilla of humour or fancy animated it, but it everywhere betrayed the simulation of the poseur who realizes that his day is done and that the power for good entrusted to him by a deluded people is slipping from his grasp.

The attendance was never so few for a second day of a new session with so important a motion before the House, and country, and the seating accommodation was not entirely filled; in the gallery whence always proceeded a hurricane of applause, when subjects like this, bearing on the welfare of the fishermen, were discussed, there was an impressive silence, a silence unbroken by a single plaudit—the electors, the democracy, the great labor vote of St. John's having abandoned the Bond-Morris régime to their fate.

The weary monologue spun its slow course in a series of plaints over the few hours before recess, and after it. The record was incomplete, for the author stated that there were some interchanges between the British and American Ministers, which the Secretary for the Colonies was obliged to withhold from publication at present. The bulk of it was a litany of truisms and the historical rehash—including an outline of the Colony's constitution, the binding force of its statutes upon the Imperial authorities after the Royal assent; the fishery relations of the Colony to the United States, under the several treaties, the Reciprocity negotiations,—were all well known. The really new matter was the despatches between the Colony and the Ministers of State for the Colonies, and between Great Britain and the United States; and the citations from William M. Marcy, of New York, in, we think, the fifties, and from Senator Bayard, of Maryland, in the eighties, both of whom were the Foreign Secretaries of the United States, upholding respect for our municipal statutes regulating the prosecution of the fisheries, as a principle governing the relations of the United States with Great Britain. The declaration of Mr. Elihu B. Root seems to be at variance with them, when he says that the Colony is not to be regarded when raising causes of interference, reasonable or unreasonable, against the prosecution of the Newfoundland inshore fisheries by American fishermen; but this dictum of Mr. Root's may only apply when the Colony raises interference directly, and may cease to apply when the objection is conveyed through the regularly recognised diplomatic channel of Great Britain.

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* No. 52.

One of the most absurd statements in this worthy Premier's war of words was the one averring that the majority of the fishermen in Bay of Islands favoured the enforcement of the Foreign Fishing Ships' Acts,—a palpably absurd and conspicuously erroneous assertion. It appeared to be based upon the fact, as alleged, that only eight hundred, out of the two thousand fishermen on the West Coast, fished for the Americans—an allegation which makes the two Fishing Ships' Acts the more reprehensible. His persistent references to the penalising character of the two Acts as being justifiably applied to Newfoundland and American fishermen alike, were odious to listen to and, alone, stamp this would-be diplomat as being a wholly unsuitable person to occupy such an influential post as that of Premier of this Colony.

Quite an opposite opinion was raised by his references to Captain Anstruther, of H.M.S. "Brilliant,"—sentiments of the pitiable and the laughable combined—at the display of impotent rage; because this gentleman, bearing one of the highest and most responsible commissions which the King can issue, usurped functions (referring to the captain's earnest efforts to promote concord and the satisfactory despatch of the season's fishery amongst the two nationalities there), which attached to responsible Ministers of the Crown. It is to be feared that this exhibition of bad temper and jealousy by our amiable and "honoured Premier," is due to the fact that the captain proved himself to be much the abler and more successful diplomatist of the two.

Amid all this palaver the consequences, if the Acts were enforced, to the West Coast fishermen, and by their being consigned to prison and their families left to starve, were conveniently winked out of sight.

The closing references to Confederation, to the heroic qualities of our fishermen, were of the clap-trap order and deceived no one.

There was one observation during the long-winded oration which calls for some comment, that is the one in which its author stated that he had a hearty unanimity of support from his colleagues, one and all, in his conduct of public affairs resulting from the two Foreign Fishing Vessels' Acts. This being so, the electors of St. John's should take steps without delay to organise the political forces of the two districts against Edward P. Morris, in the West End, and against George Shea, in the East End, for this outrage upon the declared principles of action that govern and always governed the political conduct of these electorates. And steps should be taken at once to communicate with the leading fishermen of every important centre in the district of Placentia and St. Mary's, to effect similar organisation there against the return of Edward M. Jackman. If Morris or Jackman had a rudimentary conception of the honourable relations between representative and constituent they would at once have resigned from Sir Robert Bond's Cabinet, when he forced on his two Foreign Fishing Vessels' Acts, rather than force this odious act of oppression upon the fishermen of the West Coast. The only reasonable inference from their misconduct is that they preferred the odium of fathering these two obnoxious laws and betraying their trust, to losing their salaried offices. They were influenced, then, by moneyed considerations, rather than by considerations of public duty; and their constituents, to whom they are responsible, may be trusted to deal with them in next year's general election. As for George Shea, his political past is so deeply dyed by his notoriously wandering proclivities, his abandoning one political party for another, and hanging on to each one in turn, which would give him a government seat and government pap—as to make him wholly undeserving of thought by any honest body of voters and beneath serious notice.

G.

February 13th.

Important Petition presented by Mr. Cashin.

When the Legislature opened on Wednesday, Mr. M. P. Cashin, representing the district of Ferryland, presented an important petition signed by over 1,000 of his constituents, the purport of which was:

That petitioners were engaged in cod fishery, and until two years ago added to their earnings from sale of bait to Americans.

That this bait business meant considerable money to petitioners, as for ice, stores, outfits, &c., at least $40,000 per year was circulated.

That two years ago the Government decided to exclude Americans from our waters in the mistaken belief that they would be injured, while it is the Newfoundland men that have been injured.

That people of many other districts suffer also, by reason of American vessels invading the Labrador waters.

That the only effect of the Government policy has been to educate American fishermen into seeing what trifling privileges this Colony grants them and how easily they can do without us.

That the Americans secure large quantities of bait from Canadian freezers, thus depriving Newfoundland fishermen from this traffic.

That between 250 and 300 American vessels visit maritime provinces and pay three times as much as Newfoundland ever received in license fees.

That this traffic has become so profitable that Nova Scotians are advocating the abolishment of license fees *in toto*.

That petitioners believe the interests of the people would be best served by abandoning the present policy and returning to that enforced up to 1904. Petitioners therefore humbly pray that the Legislature will terminate the present policy of hostility towards American fishermen and permit Newfoundland fishermen to earn food for their families, instead of being forced to emigrate to foreign lands in pursuit of a living denied to them at home.

Mr. Cashin observed that the signers of the petition had watched events of past two years hoping for a change, and failing this had presented their grievance as above. He had opposed the Foreign Fishing Vessels' Act when introduced because of the absence of information which was not possessed by the House, because it was in opposition to the wishes of his constituents, because he believed it to be inimical to the interest of our fishermen, because he believed it to be dangerous for the Colony, and for other good reasons. He found to-day that he was only 20 years behind the Premier who had at that time presented a petition and made a speech that would suit the present occasion admirably. Mr. Cashin read the speech by Sir Robert Bond, in presenting the petition from Fortune Bay, similar to the present one in that it affected not only commercial interests of the Colony, but the very existence of the fishermen who the Premier declared would be forced to seek pauper relief if the Bait Act became law. Mr. Cashin deemed it an honour to present the petition. He contended that the French were our direct competitors in foreign markets, whilst Americans were not. Hence his people were more reasonable in their request. He would not say his people would starve, but that being content to take the things God gave, and failing to obtain a livelihood, they were prepared to shoulder their bags and go out the narrows.

Mr. Ellis regretted that he could not see eye to eye with his colleague, Mr. Cashin. He had heard of the petition before but had not heard it read until to-day. When it was circulated for signature, his name had been associated with it, but he had promptly telegraphed to the district that he did not sympathize with it. No one in the House knew better than his colleague, Mr. Cashin, what his position with the Government was. When Mr. Cashin broke with the Liberal party on the Foreign Fishing Bill, there was a clear understanding between them over the whole situation, and he, Mr. Ellis, intended to stand by the Government now. He regretted that his constituents were likely to be losers over the law as it stands. When it was inaugurated he could plainly see the people would be seriously affected, but he thought the people of Ferryland would make sacrifices for the general good. He had hoped that compensation might be given them, but found the Government thought it impracticable, so there was nothing to do but bear the burden. He now wished it to be understood that never did his loyalty to the present Liberal Government waver, nor will it ever. It was as firm as his loyalty to his church. He did not agree with Mr. Cashin that the petition presented by Sir R. Bond was the same as that now being considered. The Premier has considered it advisable to change his opinions and thought he was justified. He could not support the petition presented.

Mr. Cashin asked permission to reply, and stated that he had never heard Mr. Ellis's name mentioned in the district in connection with the petition. Mr. Ellis said he was prepared to stand by the Government, but as for himself (Mr. Cashin) he would stand by the people of Ferryland, as long as he could stand. (Here the Speaker informer Mr. Cashin that he could not permit him to continue his reply at this stage, when Mr. C. said he would deal further with the subject on another occasion.)

Dr. Lloyd is Angry.

The Editor of the "Telegram" seems angry over the speeches of Captain Dawe and Mr. Morison, on the West Coast Fisheries question, and, as usual, descends to bathos and misrepresentation. He never witnessed such a "pitiable spectacle." Does he not keep a looking glass? Let him use it and he will see a still more "pitiable spectacle." Time was when the "Telegram" had some hold on its readers. Its former editor had a talent for abuse of his opponents and for plying the whitewash brush of unctuous flattery on his friends, which stood the paper in good stead. Withal he had the saving grace of humour. Without moving a muscle of his classic features he could tell his readers that he was "foolishly fond of Mr. Bond." That expression has doubtless cost the Colony many a dollar in public printing. The man who can persuade the Premier that he is "foolishly fond" of him stands a good chance of being rewarded out of the public chest. Mr. Bonia was trying it on in his speech at the opening of the House, and the public accounts next session will probably show how much his "diplomatic" utterances have cost the Colony.

Both Captain Dawe and Mr. Morison complained, and with good reason, that no opportunity had been given them to read the lengthy and important correspondence relating to the *Modus Vivendi*. The Government, as usual, used its position to stifle debate as far as possible. Instead of placing the correspondence and a draft of the proposed Address on the table of the House and adjourning the debate for a few days, to enable members to read the correspondence, Sir Robert Bond simply tabled the correspondence and went straight ahead. Having had the correspondence in his possession for some weeks, Sir Robert came into the House on Tuesday with a carefully prepared speech, written out all ready to hand to the "Telegram" for publication. The fact that the Premier's speech, delivered on Tuesday afternoon and evening, appeared in Wednesday's "Telegram" goes far to show that it was ready for publication before it was delivered, and we have no doubt its next appearance will be in pamphlet form, scattered broadcast at the expense of the people. No wonder the "Telegram" is "foolishly fond" of the Premier. No wonder that its present editor fondles the Premier in an abject and servile fashion. If he were not, he would be saying something about the timber lands which have been stolen from the people of Trinity District, instead of abusing Captain Dawe and Mr. Morison for making an honest effort to see that the people of Bay of Islands got fair play in connection with their herring fishery.

To the rank and file of the Government members it matters little whether they read the correspondence. They are not expected to read it. All they are expected to do is to vote as they are told. The Liberal confession of faith is to stand by the party, and, for the time being, Sir Robert Bond is the party. As Mr. Ellis virtually said on Wednesday, "My own convictions do not count for anything, neither do the wishes or welfare of my constituents. I am here to support the Liberal Party, and I intend to support it with the same loyalty as I do my church. The petition presented by Mr. Cashin may voice the sentiments of the people of Ferryland district. I am here to vote as I am told by Sir Robert Bond, no matter what the people of Ferryland think or say." That is the position in a nutshell, and it is worth serious consideration. As Mr. Morison pertinently said, in the course of his speech, the majority of the Government supporters will not read the correspondence, some of them will not read the Address for which they vote. Their part in the business is simply to vote, and to vote as Sir Robert Bond tells them.

Captain Dawe, Mr. Morison and Mr. Cashin can confidently leave their action on this question to the verdict of the people of Brigus, Bonavista and Ferryland districts. The people of Brigus and Bonavista districts never had any confidence in Sir Robert Bond. Since his change of policy with regard to trade with the Americans the people of Ferryland have lost all confidence in him, and the future will show what good reason they have for this change of opinion.

ASSEMBLY NOTES.

The discussion, yesterday, over the Address to the Secretary added little to the weight of what had previously been expressed. On Wednesday night the Premier was desirous of having the vote taken, but some of his supporters expressed a desire to be heard, and so adjournment of the debate was then taken.

The first speaker, yesterday, was Dr. Lloyd, who occupied an hour in going over what had been dealt with before, and incidentally proclaiming himself a champion of the Premier. He wished to be placed on record as being in accord with the Government action, and proceeded to explain that gentlemen who held a contrary view did not know what the question under discussion really was. He stated that although the only member of the House born in England, he had courage enough to oppose the action of the English Government. It is fortunate that the local Ministry have the assistance of so powerful an advocate and ally. His oratory and vehemence was worthy a better cause, and his reference to the granting of timber limits and licenses, by way of comparison, suggested afresh how the people of Trinity had been victimized with respect to certain timber licenses, now historic.

Mr. Blandford followed, and succeeded in creating a mild sensation, by announcing that he intended to vote for the Address. He had reached a conclusion that the question was not a party one, and that in conversation with the Leader of the Opposition, the latter had so assured him. He was in sympathy with the Government in its effort to sustain the constitution of the Colony, and, in justice to his honour and his constituents, intended to vote for the Address. Mr. Blandford did not weary the House with his opinions respecting the constitution, or touch upon the legal aspect and effect upon the whole situation.

The main point of his speech appeared to be addressed to a statement of personal independence, which was impressed upon the House with some force. He announced that he was not going to be closed up by anyone, but pursue a course of independence that presumably was destined to revolutionize matters political. He explained his position as a member of the Opposition, and said he had associated himself with it, not for party sake, but for what he termed "Morinism." He was not now going to be dictated to by anyone, was prepared to disassociate himself with the Opposition and to occupy an independent place, the which he proceeded to do, two seats removed from his accustomed desk.

He thought more independent members were needed, men who would not blindly follow either Government or Opposition, but kick whenever occasion required. As he had been loyal to his party in the past, so would he now be loyal to his independent party. He said he was acting to the best of his ability, and was prepared to explain matters to his district as well as any other man. He dwelt briefly on the suffering meted out to the West Coast fishermen, and blamed the local Government for not bringing such machinery to work as would have prevented it. He thought the Government should have stopped the use of purse-seines, and that immediate action should be directed against Americans fishing at Labrador. He also dwelt upon the wrongs to which our fishermen are subjected in the matter of taking trap space each year. He felt sure that such pressure would be brought upon the British Government, that America would be forced to give in to our contentions.

Mr. Maddock was next speaker, and had come prepared with a carefully arranged speech upon the question, which he said was "fraught with so much importance to trade and commerce." Mr. Maddock has entertained the House before, and his effort yesterday was not disappointing. He had paid the greatest attention to the speech of the Premier, had viewed the facts in his mind's eye, historic, legal, commercial and economic, and heartily endorsed everything in the speech. "Why should our people be subservient to the grip of a foreign power?" said he. The Minister of Justice had thrashed out the constitutional aspect of the question, and the Minister was right. He "peered into the future," when he saw that "the whole continent will be looking for our fishery products." The herring fishery should be kept for Newfoundlanders, and no others allowed to profit from it. He found fault with the Opposition because the Government was not forced to make a stir over the business.

Mr. Cashin contributed one of the most interesting and instructive speeches of the debate. He prefaced it with a jocular reference to the accession to his party's ranks of Mr. Blandford. Having referred to the latter leaving the Opposition to join the independent party to vote for the Address, Mr. Cashin said that he, who up till then was the sole member of that party, intended to vote against it himself.

He traced the history of the fishery from the Bond-Blain-Hay treaties, how both instruments were cast aside, and how first Canada and then Gloucester was punished for opposing the Premier. Americans had fished side by side with our people for 30 years, vessels first manned by Americans, then by foreigners, now by the population of this Colony, crowded out by foolish laws. Americans driven from the Southern Shore, at once proceeded to the Straits and Labrador to the injury of Newfoundlanders, but they were bound to get fish, and get it they do. We talk of controlling the bait of the north Atlantic, yet many of our own vessels bait in Canada, in the spring.

Where are the Placentia bankers to-day, where are the 40 bankers of the Southern Shore? They are owned by Frenchmen, whose fishery is said to have been killed. Where are the former crews of this fleet? They are the crews of American vessels. Captain Joe Bonia, once commodore of Placentia, is now commodore of Gloucester. Speakers had told of the sympathy which Canada had for us, while Canada is, to-day, reaping a rich reward from our mistakes. Mr. Cashin claimed the Government had no mandate from the people, and that there was as little interest in the outports over the question as in St. John's, where, notwithstanding persistent advertising, not even a corporal's guard could be drummed up to attend the debate.

Our young men are leaving the Colony in hundreds, and it was now reported that local merchants were going to conduct the herring fishery with promises of bounty. That is a poor way to help the people, by bleeding them to pay bounties to merchants. This would likely be as with cold storage. Two years ago men were up all night talking cold storage. What has happened to it? It is as much needed now as ever. Cold storage was talked of for political purposes, and was dropped as quickly as the smelting plant at Bell Island. He was sorry for his country in her misfortune, but publicly recorded thanks to the Mother Country, by whose timely assistance the West Coast fishermen were not forced to stand on the bank and see their wives and children starve. He (Mr. Cashin) would record his vote against the Address.

The Minister of Mines, and Messrs. Scott, Lewis, Bonia, Miller, Carty, also spoke shortly.

Captain C. Dawe, before the vote was taken, addressed a few words to the committee, during which he observed that having, in addition to his own opinion, listened attentively to the speeches of all the honourable members, he was more firmly convinced than ever that he was right. He believed his course had been the proper one, and that hereafter the fact would be made clear. Referring to Mr. Blandford's position, he agreed that he (Mr. B.) had acted within his rights, and deserved credit for any independence manifested. Captain Dawe reminded the Government members that last session, when he had introduced an amendment to the Steam Fishing Vessels' Act, almost every one of them spoke in favour of it; but that after the Premier had spoken against it they had all voted contrary to their expressed convictions. He hoped Mr. Blandford's independence was not of a similar brand.

BOND *versus* ANSTRUTHER.

STATEMENT OF FACT.

In his speech on Tuesday, Sir Robert Bond commented severely upon the conduct of the senior naval officer on this station, whose duty occasioned Captain Anstruther's presence at Bay of Islands last fall during the herring fishery. The "News" holds no retainer for the defence of Captain Anstruther, but fair play suggests answer to the Premier's reference to that official.

Sir Robert Bond stated that on the day after his arrival at Bay of Islands (October 20th), Captain Anstruther convened a meeting of fishermen on board his ship, and there discussed the fishery trouble. That next day, Captain Anstruther visited Canadian vessels and also the American tug "Potomac," on which latter, with Commissioner Alexander, he attempted to make a new arrangement independent altogether of those then in existence, and thereby offered insult to His Excellency the Governor, who as such, was the superior officer. The Premier's statement is quite at variance with the facts. Captain Anstruther did not convene a meeting on his ship as stated, though it is true that he discussed the purse-seine difficulty with Bay of Islands fishermen, who, of their own volition had gone to him for assistance. It will be remembered that some Americans had used purse-seines. It will further be remembered that a number of local fishermen had by petition, humbly asked these Americans to abstain from using purse-seines. The men who waited upon Captain Anstruther asked his interference, towards stopping the use of seines, and were promptly told that under the *Modus Vivendi* he could exercise no authority. He did agree at the earnest request of these fishermen to use his influence to stay the existing evil, and in conjunction with Mr. Alexander was successful in accomplishing much in this behalf. That purse seining was stopped is due largely to these two representatives of Britain and America, respectively, and the other fact that American fishermen evinced commendable anxiety to defer to local wishes so far as it was possible. As a matter of fact, no agreement of a binding or official nature was ever made, but merely an informal understanding between all parties to abtain from what was claimed to be injurious and offensive.

As to insulting the Governor this is mere twaddle. H.M.S. "Brilliant" and her captain were not sent to Bay of Islands to interfere with the Governor or his ministers, or the people of the Colony, but to protect the treaty to which England was a contracting party. The presence of both on the scene is ample proof of this, a fact apparent to every man. It is true that the "Brilliant," in guarding the treaty, was the means, incidentally, of enabling many Newfoundland fishermen to earn their bread, which would otherwise have been prevented by their own local Government, but the fact remains that the British captain did not in any way exceed his authority, or attempt more than the work for which he was commissioned. At all times Captain Anstruther counselled observance of law on the part of Newfoundlanders, and the avoidance of any act calculated to engender strife or trouble.

The Premier, during his speech quoted with much warmth an idiom of President Roosevelt who declared himself in favour of "the square thing all round." It is along these lines that the foregoing has been suggested, for it is manifestly dishonest and unfair to Captain Anstruther, especially in his absence, to credit him with conduct that would be reprehensible if he were guilty, but of which he is certainly innocent. Let us have "the square thing all round" in this *Modus Vivendi* business. A cause that must be bolstered up by misrepresentation and untruth is inherently weak.

No. 54.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received March 9, 1907.)

MY LORD, Government House, St. John's, February 23, 1907.

I HAVE the honour to inform you that, by appointment previously made, I was waited upon to-day at Government House by the President of the Legislative Council, and the Speaker of the House of Assembly, who were accompanied by the majority of the members, and by the officers of both branches of the Legislature. The President of the Legislative Council, in the presence of these gentlemen, read and handed me, for transmission to your Lordship, an address* that had been passed by the Legislative Council and by the House of Assembly, to the Right Honourable His Majesty's Principal Secretary of State for the Colonies.

2. This address has reference to the *Modus Vivendi* recently entered into between His Majesty's Government and the Government of the United States of America with respect to the conduct of the herring fishery on the west coast of this island during the season now closed; and in accordance with the desire of the great majority of the members of the local legislature I now have the honour to enclose three copies of the address in question.

3. As your Lordship is already thoroughly conversant with all the phases of the subject to which this address refers, it is not necessary that I should discuss here the different points advanced in it. You are aware that the herring caught for, or by, the Americans in this winter fishery are not for bait, but for food, although herring, under the Bait Act, is technically a "bait fish." It is also well known to your Lordship that there is a general consensus of opinion in this Colony that the provisions of the Bait Act which give power to prevent the sale of bait to foreigners are essential and indispensable to the prosperity of Newfoundland. In this opinion I fully concur. I have always understood that His Majesty's Government did not, and do not, entertain any desire or intention to modify the attitude of the Government of this Colony in regard to the sale of bait to foreigners. If I am right in believing this, I would respectfully suggest that your Lordship should give such an assurance to this Government as would put at rest any doubt that may exist here on that point.

4. Although I am not able to associate myself with some of the premises on which the conclusion of this address is based, yet I would venture to express my concurrence in the prayer contained in its last paragraph "that if a recognition of the rights of this Colony cannot be obtained by diplomatic negotiations, then His Majesty's Government will proceed on a strict interpretation of the Treaty of 1818." But while I join in that request, and while I hold that there are very strong and urgent reasons for the early settlement of this question, yet I cannot but recognise the fact that the "diplomatic negotiations" must be left in the hands of His Majesty's Government; and that an "interpretation of the Treaty of 1818," being a contract between two consenting parties, cannot be unilateral, but must be arrived at by agreement between the two principals. That His Majesty's Government, of whatever political colouring that Government may be, will always do the best it can for the Colony my experience of thirty-four years of Colonial service leaves me no room to doubt. And this personal belief must, for special reasons to be found in the recent history of Newfoundland prior to this question, be so apparent to the majority of the people of this Colony that an assurance from your Lordship, as Secretary of State, to that effect can hardly be necessary.

5. I understand that the address was passed in the Legislative Council by the large majority of eleven to two.

It appears that in the House of Assembly the address was voted in Committee by twenty against three; but that, when the question was put to the House, those opposed to the address did not, apparently, through unacquaintance with the business forms of the Assembly, call for a division, and, therefore, the address was thus technically passed unanimously in the popular chamber.

I have, &c.,
WM. MACGREGOR.

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* Enclosure in No. 59.

No. 55.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received March 9, 1907.)

MY LORD, Government House, St. John's, February 24, 1907.

IN continuation of my despatch of the 14th instant,* I have the honour to transmit, for your information, extracts from the local press in connection with debates on the *Modus Vivendi* in the local legislature, as follows:—

(*a*) The issue of the "Evening Telegram," of 14th February, containing a speech by the Minister of Justice, in which he expresses his opinion of the legal aspects of the question.

(*b*) Extracts from the "Daily News," of the 16th and 18th February, from which it would appear that at least three members of the House of Assembly would have voted against the address had they been familiar with the rules of the House.

(*c*) Extracts from the "Daily News," of the 20th instant, containing articles on the speeches on the same subject, in the Legislative Council, by the Honourable John Harvey and the Honourable R. K. Bishop.

I have, &c.,
WM. MACGREGOR.

Enclosure 1 in No. 55.

"EVENING TELEGRAM," Thursday, February 14, 1907.

IN THE ASSEMBLY.

The House opened yesterday at 4 p.m., when Mr. Cashin, member for Ferryland, presented a petition from a large number of his constituents praying that the Foreign Fishing Vessels' Act be repealed. The honourable member supported the prayer of the petition and drew attention to the fact that he had opposed the Bait policy of the Government from the time of the introduction of the Foreign Fishing Vessels' Bill into the House.

Mr. Ellis regretted his inability to support the prayer of the petition. He had learned that during the time the petition was being circulated for signatures, his name was used as a supporter of the petition. This was without his authority, and he had taken prompt means to deny the statement immediately he became aware of it. Much speculation, he regretted to say, had been made as to the course he intended to pursue in regard to the Government's policy. In his own mind there had been no doubt as to his conduct, and in his conduct no hesitation in supporting fully and loyally the Government his constituents had sent him to the House to support. All his life he had been a Liberal, as a Liberal he had been elected, as a Liberal he had supported the Government in this policy, and he was firm in his loyalty to his party as he was convinced of the creed of the church of which he was a member. He wished to make this personal statement to make it absolutely plain and unmistakable that he was a loyal supporter of the present Government. He regretted his inability to second Mr. Cashin's motion. Mr. Cashin knew his attitude and had known it from the very first. He did not believe for one moment that Mr. Cashin had in any way countenanced the use of his (Mr. Ellis's) name in support of this petition. He could not support the petition, although he would gladly support a measure of compensation if the Government should introduce it.

The Minister of Justice introduced a Bill to amend the Chinese Immigration Act to correct a verbal omission in that Act. The Bill was read a first and ordered to be read a second time to-morrow.

On motion of Mr. Barnes the Address in Reply to the Speech from the Throne was presented and adopted. The speaker intimated that His Excellency had appointed Friday morning at 12 to receive the Reply.

The House then went into Committee of the Whole on the Address to the Secretary of State on the *Modus Vivendi*.

The Leader of the Opposition, Captain C. Dawe, would not occupy the attention of the Committee by any lengthy observations, as he had made no proper study of the correspondence. He would not speak on the legal and constitutional aspects of the dispute as he knew little about them. No doubt these issues would be thrashed out by the legal members of the Committee. After all, the *Modus Vivendi* dispute did not amount to much. He would deal with the trade aspects. The Foreign Fishing Vessels' Act resulted from the Premier's disappointment over the failure of the Bond-Blaine and Bond-Hay treaties. He, Captain Dawe, was pleased the United States had refused to assent to the latter. It would have been more injurious to the Colony than the French Shore difficulty. American fisherman catch all the codfish their 80,000,000 people eat. Our people ought to have a free hand to sell their fish in the best market, and particularly to sell herring on the spot as it was a perishable fish. With bait it was different. He would not give bait to anybody. He would not sell one barrel of bait at any price. If we kept the bait for ourselves we were masters of the whole situation. Under the Washington Convention the Americans sold their smaller fish in Newfoundland ports. He himself had bought 600 qtls. at one time. Americans had treaty rights. Refusing them bait, made them go to treaty waters. But through adverse winds, &c., their bait, especially caplin, becomes soft and stale. He believed the Foreign Fishing Vessels' Act was driving Americans to the Labrador. He would vote against the address.

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* No. 52.

The Minister of Justice congratulated the Premier on his great speech which was worthy of the occasion. He complimented Captain C. Dawe on becoming leader of the Opposition, and welcomed the former member for Bonavista back to the House. The Leader of the Opposition apparently did not appreciate the situation. This was no question of the Hay-Bond treaty, or of a herring fishery, it was a grave constitutional issue. The question was whether the *Modus Vivendi* conceded rights to Americans in excess of the treaty of 1818. He was of opinion it did. The *Modus Vivendi* had arisen from Newfoundland enforcing the treaty. The Foreign Fishing Vessels' Act was passed for that purpose. Had the British Government the right to broaden out that treaty? Could they confer on Americans the right to employ Newfoundlanders in our jurisdictions? Could they give permission to Americans to disregard law? Had they the power to abrogate part of the Act of 1905? They had done these things. They had done them at the instance of a foreign nation. They had given them in consideration of what the Americans were already obliged to do. They had made a bargain with an illusive consideration. They had given away valuable rights and got nothing in return. If Americans had the right to employ Newfoundlanders, they had the right to employ anybody. According to the treaty the only persons who could fish by that title were *bonâ fide* inhabitants of the United States, and all they could do was to take the fish in common with British fishermen. The issue was grave. It was more serious than the '57 Convention. That was only a proposal. The *Modus Vivendi* is an actual grant of rights without reference to this Legislature. American rights should be construed according to the sense of the whole document. The interpretation of the Treaty by Newfoundland was in full accord with that of the British Government. Their demand that Americans should be subject to local laws had the support of distinguished English jurists of last century and this. It was the demand of the British Government itself as the correspondence would show. The effect of the *Modus Vivendi* had been a serious blow at the law and at Responsible Government in the Colonies. If British Ministers could do constitutionally what they had done, then Responsible Government in the Colonies was but a delusion and a fraud.

The Minister of Finance congratulated the Premier on the able and eloquent speech delivered on an historic occasion.

The present dispute is a crisis and the *Modus Vivendi* a menace to Newfoundland, British North America. It is not merely a question about the Bay of Islands herring fishery. The Colony recognises its obligations under the treaty of 1818 and will adhere to them. The material obligation on the part of the Colony is to permit the inhabitants of the United States to fish for ever in common with British subjects in certain waters of the Colony. But Newfoundland has the sovereign right to make regulations which are *bonâ fide* for the preservation of its fisheries and its revenues. In 1856 the State Department at Washington admitted this and directed its fishermen to obey such regulations. But now Secretary Root practically claims sovereign powers in certain portions of our waters. The *Modus Vivendi* is a violation of the pledge given in the Labouchere despatch of 1857. It is an attack on our Constitution by an attempt to set aside our laws, and it is a serious modification of our maritime rights. The fact that 742 of our men were engaged shows how dependent Americans are on our men. If British statesmen surrender our rights in these fisheries, it will be the most deplorable blow to Imperial interests since the treaty of 1818. The American catch of fish is not increasing as fast as her population. In 1905 the total fish catch realized $56,000,000 or about 69 cents per head of population. The British Isles catch was $1.20 per head, Canada, $4.00 and Newfoundland $45.78. Even as compared with the Maritime Provinces, our per capita catch far and away exceeds theirs. Newfoundland holds the master key to the fisheries of North America and the bartering away of these privileges naturally caused the great crisis with which we are dealing. The restriction in the sale of bait has been coincident with the rise in price of fish. In 1886 the average price was $3.16 per quintal, last year it was $5.31. How important the bait question is appears in the decline in the number of schooners fitted out at St. Pierre. In 1901 there were 201 schooners; in 1906, 104; and in 1907 it is expected there will be but 75 at St. Pierre.

The honour of England is at stake in fulfilling the spirit and letter of the despatch which assured to Newfoundland the integrity and sovereignty of its territorial and maritime rights.

Mr. Donald Morison then addressed the Committee. He had not had time to read the correspondence through. He agreed with the legal argument ably delivered by the Minister of Justice. The newest law student knew these fundamental principles. He disagreed with the policy of the Government as set forth in the Foreign Fishing Vessels' Act, and though he agreed with the prayer of this address, he would vote against the motion because of his objection to the policy of the Government.

Enclosure 2 in No. 55.

EXTRACT from "DAILY NEWS," St. John's, Newfoundland, February 16, 1907.

AT THE HOUSE.

YESTERDAY'S PROCEEDINGS.

The House met at 11.30 yesterday morning, and proceeded to Government House, when the reply to the speech from the Throne was presented.

Returning to the House, the leader of the Opposition Party referred to the vote of Thursday night being wrongly entered in the minutes. The Premier stated that the minutes could not be altered, and alluded to what he termed the improper language directed to him at the previous session. It was evidently the intention of the Premier to use his big majority to punish a numerically small Opposition that he was able neither to convince nor bully.

The House adjourned until Thursday next at 4 o'clock.

EXTRACT from "DAILY NEWS," St. John's, Newfoundland, February 18, 1907.

THURSDAY'S EPISODE.

THE BOND JUGGERNAUT.

The "Telegram" regards as "pitiable" the action of the Opposition on Thursday last, in not calling for a division on the vote to adopt the report of the committee on the Address to the Secretary of State. In a column of misrepresentation, on Friday, the episode was reviewed, and the line of argument adopted was that of brute majority—twenty to three.

It is to be admitted that the Speaker being appealed to by the Premier was technically right in applying the rule of the House, and deciding that no division being called for, a unanimous vote might be recorded. But it is also a well-established understanding that no rule is absolute, and that such a thing as fair play and honesty is usually admitted by responsible legislators.

From time immemorial it has been the custom, when a vote passed in error, for the House, by common consent and ordinary courtesy, to permit a correction of such error. The present Premier has adopted this course on many occasions. The Premier, in the case under discussion, having refused to permit it, the Speaker was, of course, justified in applying the rule. The burden of the proceeding rests upon the Premier entirely, and he has not even the refuge of misunderstanding what the Opposition members wished. Captain C. Dawe, Mr. Morison and Mr. Cashin had all spoken on the Address. They had all three given reasons, which to them were good, why the Address should not pass, and they had all three announced their intention of recording their vote against it. Hence there was no possibility of doubt as to what they desired, and they were acting within their rights, and with a full sense of their responsibility.

From the Government benches, during the discussion, came the pleading that a unanimous vote was much to be desired, as strengthening the Premier's position. To this, the answer of Messrs. Dawe, Morison and Cashin was that the Premier's position was unstable, and in the best interests of the Colony should not be supported. In any case the three gentlemen who opposed the measure were respectable and responsible. They had a better understanding of the matter at issue than the great majority of the Premier's supporters, and if Sir Robert Bond had not mistakenly fancied a "snap vote" would have been useful, the opposing votes might have been recorded despite the technical irregularity.

Premier Bond is famed for "fake" displays, "bonanzas" that never materialize, and misrepresentation. They are remembered in connection with the Bond-Blaine treaty, the Railway contract "smashing," the Bond-Hay treaty, cold storage, "land grabbing," the "secret letter," and many others. His idea, apparently, was by a trick or "fluke" to announce a unanimous vote upon the Address, though none knew better than he that strong sentiment existed against it, within and without the Legislature. He would secure, by trickery, what was denied to him otherwise. He would sacrifice the ordinary amenities of official intercourse to secure temporary triumph. Here was a case where his much flaunted belief in "the square thing all round" was ruthlessly cast aside. He was the Premier. He had nineteen pawns, who would fall down before the Bond juggernaut, or fall down on anything suggested by the Boss. And so it transpired that he and they fell down upon the three honest opposers of Bond's will in the matter of that Address.

Could a more cowardly or unmanly course be imagined? Believers in or exponents of British justice, whether favourable or otherwise to the *Modus Vivendi*, must regard with supreme contempt and condemnation the recent attempt of Premier Bond to bulldoze honest opponents into his way of thinking. Thank God, there are yet three men in the Legislature whose souls are still their own, who can neither be bribed nor bulldozed by Bondism, but who will continue to fight fairly for the Colony and people of Newfoundland; and will hold their own, too, even against the brute majority which supports Premier Bond through the magic influence of patronage and plunder.

Meantime the action and sentiment of Messrs. Dawe, Morison and Cashin are known where they will prove most useful, and the public will be fully informed, despite Premier Bond's effort to thwart an honest expression upon an important public question.

Enclosure 3 in No. 55.

EXTRACT from "DAILY NEWS," St. John's, Newfoundland, February 20, 1907.

THE ADDRESS TO SECRETARY OF STATE AT LEGISLATIVE COUNCIL.

The Legislative Council was in committee of the whole, yesterday afternoon, for the discussion of the foregoing topic, Honourable J. B. Ayre, presiding. Almost two hours were consumed, during which three speeches were contributed, and at 6.30 the committee rose until this afternoon.

Honourable Geo. Knowling presented the attitude of the Government in a short opening speech, during which he outlined the policy pursued by the Colonial Cabinet, and offered some suggestions as to the situation which had occasioned the Address. He dealt with the Bay of Islands fishery question, making some special allusions to the purse-seine question. Respecting the statement, not infrequently heard, that Newfoundland would benefit greatly if annexed to Canada, the honourable gentleman dissented strongly, claiming that we had little to gain; that in her own diplomatic experiences Canada had been scarcely less unfortunate than Newfoundland. He instanced the Alaskan Boundary dispute, among other things, by way of proof. Mr. Knowling voiced a rather new feature, from the Governmental standpoint, viz., He thought the Americans were a God-fearing Christian nation, and he believed they would yet see the force of our contention and relinquish their claim, so that Newfoundland would be able to enjoy all the benefits to which by right she is entitled.

Honourable Mr. Harvey delivered a long speech, occupying the best part of an hour. It was written, and certainly indicated the expenditure of considerable time in its compilation. This speech was remarkable for the severe, almost vitriolic scolding, administered to the Imperial Government. He hoped that every member of the Council had carefully read and digested the tabled correspondence; and then proceeded to state the deductions reached by him from a careful perusal. Mr. Harvey found that the British authorities reached the conclusion that a temporary measure with the United States was necessary, and that Newfoundland was wrong in opposing it. The local Government had, with marked ability, presented its case, and the British officials had blundered in not acting in accord with it. Mr. Harvey blamed the British Ministry for the insufficiency of its correspondence, from which it was clear the Imperial Government did not want to either consult or be bothered with Newfoundland, but was prepared to accept the suggestions of and accede to the demands or wishes of a foreign nation. He thought the rottenness of Great Britain in her diplomatic undertakings was manifest throughout the correspondence before the Council. Apart from this feature, Mr. Harvey's speech was directed along lines similar to those expressed by the Premier and his supporters in the Assembly.

Honourable Mr. Bishop did not occupy much time, but expressed the difficulty he felt at understanding just what the Address meant, and whether it should really be taken seriously. He said he had received no light upon the question from preceding speakers. Apart from the ambiguity of the Address, one thing was very emphatic and pronounced, and that was the clean cut insult offered the British Government by the local authorities. Whatever excuse there might be for discourteous correspondence and sharp retort, last August, after the *Modus Vivendi* had been arranged and the conflict shown to be groundless, there was no justification for the deliberate charge that British interests had been made subservient to a foreign Power. This was an unpardonable slap in the face, for even if it were warranted by any act or want of act on the part of the Imperial Government, the taunt at this time was impolitic and ill-advised. Mr. Bishop contended that local authority had been fully consulted all through the negotiations, that our Government had been urged for suggestions, which had been refused, and that to these facts the correspondence bore ample testimony. It was shown that the Governor had mildly remonstrated with his Ministers for tardiness in answering questions asked by Britain, without avail. Mr. Bishop thought the stupid and inexcusable mistake of the 1905 Foreign Fishing Vessels' Act, aggravated by that of 1906, caused a mix-up from which had been evolved the whole difficulty. He expressed his belief in, and support of the Bait Act, which, if properly carried out, was a powerful Colonial asset. While not wishing to blame individuals, he could imagine no greater farce or inconsistency than the placing of the Bait Act enforcement in the hands of a district representative, whose constituents were the chief vendors of bait to the French at St. Pierre. Surely the Government must know that last season bait was carried and sold to St. Pierre from Placentia Bay, and sent to France for use in next spring's fishery. He claimed that Bay of Islands herring had no connection with the bait fishery, and that until our own people engaged in it and made it successful, it was folly to prevent our people earning and taking the gold which Americans were prepared to pay. After all, the policy of the Government was not to prevent Americans getting bait, that was only the pretended policy. The Government was prepared to open all our bays and coastline to Americans for free bait, in return for the certainly questionable benefit, but he believed positive injury, which would be worked by the Bond-Blaine-Hay Convention, so-called. He was ready to stand by the Government for the preservation of constitutional rights and liberty, but did not see that the British authorities had done anything up to the present worthy of death or of bonds. He thought an address might have been compiled concerning which unanimity of opinion might be had, but the one presented for consideration compelled opposition by its expressions and terms. The net result of all the Government agitation was a good prosperous year for the Americans at Bay of Islands, and some success for our own people, despite the local attempts to spoil both.

No. 56.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received March 9, 1907.)

MY LORD, Government House, St. John's, February 25, 1907.

I HAVE the honour to enclose, for your information, a leading article from "The Western Star," a paper published at Bay of Islands, in which the *Modus Vivendi* is discussed. As this paper must be chiefly dependent on the patronage of the fishermen of that district, the article in question may be presumed to express their general views on the subject.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 56.

"The Western Star," Bay of Islands, February 20, 1907.

Modus Vivendi.

Saved the Situation.

On Tuesday, 12th instant, Premier Bond, in an exhaustive speech of nearly five hours, moved the adoption, by the Legislature, of an address to the Imperial Government respecting the *Modus Vivendi.* In his speech, the Premier attempted to throw dust in the eyes of the people so as to divert their attention from his vindictive "jail or starvation" policy, to the action of the British Government in arranging a *modus vivendi* over the heads of the Colonial Government, whereby our fishermen were enabled to earn a livelihood. In criticising the Premier's speech, Captain C. Dawe, leader of the Opposition, and Mr. Morison spoke at length. An open market sounds well, Captain Dawe said. It looks all right to talk of a market of 80,000,000 American people, but it should not be forgotten that these people don't want our codfish, they catch nearly all they require themselves, and with increased bait privileges, under the proposed Bond-Hay treaty, they would not only supply their own market, but would compete with our fish in foreign markets, and by so doing, reduce the value of our fish in those markets. Americans certainly possess treaty rights. If they were denied the right to purchase they would simply make arrangements to catch themselves, so that our people would lose the chance of selling profitably. Under the Washington Treaty, the Americans came to our coast, and sold all their small fish and oil, from the proceeds of which they purchased bait. They require very large fish for their markets, and so this plan suited admirably. The Americans are reported to have recently invaded the Labrador, which was a new development calculated to work serious injury to our own people. Petitions respecting this feature would likely be presented during the present session. He believed the Foreign Fishing Act was responsible for driving the Americans to the Labrador, to the injury of Newfoundland. He intimated that he would vote against the proposed Address, which appeared to him to be a censure of the British Government that was not deserved. He believed the British Government was anxious to conserve the interests of this Colony, but were met with treaty rights which had also to be reckoned with, and Britain would not act dishonestly towards any nation, or violate her treaty obligations.

Mr. Morison contributed an interesting speech to the debate. He differed from the Premier as to the only opportunity of publishing the Government position, saying that if so important the people might have been appealed to by public meetings, for a test of opinion. The question had a more serious than the constitutional aspect, viz., the policy of the Government. A careful review of the Premier's speech was made, and points of difference dealt with. He reviewed the difficulties with Canadian and American fishermen, extending over a number of years, and which led up to the Bond-Blaine-Hay treaties. It was possible a majority of merchants favoured these treaties, but that did not mean the fishermen, whose opinion was important. The merchants had urged an export duty on American, and a bounty to our people, and if the Government had made some such proposition, it would have aided in solving a question now vexatious. There could be no doubt that the Fishing Acts were the cause of the present trouble. He regarded the testimony of Inspector O'Reilly and Magistrate March as being unreliable. One was engaged in detecting violations of the fishery laws, the other tried and punished offenders, as in the case of Crane and Dubois. A visit to Bay of Islands would prove the Premier's statements untrue. He disputed the idea that the Premier came into power with a mandate from the people *re* this fishery dispute, and characterized as harmless the reference to it in the last manifesto. The references of the Premier to H.M.S. "Brilliant" were unfair, and he did not think the Governor worried over Captain Anstruther's action, but was quite well able to look after himself. The fishery had ended well for all save those arrested and punished, and it had only ended favourably in so far as the British Government had stepped in to protect local men against unjust local enactments.

He intended to vote against the address. If it were simply a protest against any invasion by the Imperial Government of our rights as a self-governing Colony he and every other member on his side of the House would be found standing shoulder to shoulder with the Premier and his colleagues. They had hoped that the Address would have taken this form, but the Premier has willed it otherwise. Whilst he regretted the necessity for the *Modus Vivendi,* he did not see what other course was open to the Imperial Government but to maintain as far as possible the *status quo ante* for the fishery season which was then about to commence. The wisdom of the Imperial Government's action has been shown by the result. The fishery had been carried on as profitably as usual, and our fishermen on the West Coast have been enabled to earn a fair season's wages, which is all they expect from the herring fishery under the most favourable circumstances.

No invasion of the position guaranteed to us by the famous Labouchere despatch of 1857 has taken place. The two cases are not parallel. In 1857 the Imperial Government had entered into and practically concluded an arrangement with France without the knowledge of Newfoundland, under which valuable and important portions of Newfoundland territory were proposed to be ceded to France. No wonder the men of that day rose in arms when the tardy news of this sacrifice of their rights was brought to them, and if the *Modus Vivendi* which they were then considering had any such operation, the patriotic heart of every man worthy of the name in Newfoundland, without regard to class, creed, or political distinction, would beat in unison. There would be no need to let the question fizzle in the newspapers for four months and then bring it on the floor of the House for an expression of opinion by a partizan Assembly. The people would have acted promptly and decisively, and long before this delegates of the people would have been knocking at the doors of Downing Street and demanding that square deal which the Right Honourable the Premier has talked about. This was not done, because the people are not behind the action of the Government in the course taken by them. They recognize that they are the principal sufferers from the unwise policy of the Government and its unwise legislation of 1905 and 1906.

His position with regard to this question was very clear and very simple. He was at one with the Government in their desire to uphold in all their integrity the constitutional rights of the people of the Colony, but he was wholly at variance with them with regard to their fishery policy on the West Coast. His conviction was that the herring that come to Bay of Islands every season come there primarily for the benefit of the people of Bay of Islands, and, in the next place, for the benefit of our fishermen as may see fit to go there to earn a dollar for themselves and their families. Anything that will increase the value of the herring for these people, who risk their health, and sometimes their lives, in catching them, anything that will improve the facilities for marketing these herring at better prices, he would support to the best of his ability. Feeling convinced that the Government's policy, if persisted in, will spell ruin for the people of the West Coast, he opposed it to the utmost of his power.

To our hard-working fishermen of the West Coast the question is of vital importance. It means their immediate source of livelihood. It means the difference between hard times and comparative prosperity. It means the possibility that some of them may have to go abroad for a living. He trusted, therefore, that wiser counsels may prevail, that future negotiations may be approached by our Government in a better spirit than is shown by their present attitude, and that when they met there again next year they would have something more pleasant to contemplate than the possible starvation or imprisonment of our own fishermen.

No. 57.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received March 9, 1907.)

MY LORD, Government House, St. John's, February 26, 1907.

I HAVE the honour to enclose, for your information, copy of a petition presented on the 13th February by Mr. M. P. Cashin to the House of Assembly, signed by about a thousand fishermen of the Ferryland District of the south coast of this island, praying that the Legislature may "terminate the present policy of hostility towards the American fishermen," &c.

2. I also enclose copy of a petition, presented by Mr. W. Oke on the 19th February, and signed by some 56 fishermen, praying that the use of trawls, bultows, and cod-nets be prohibited between Cape Lewis and Cape St. Francis on the coast of Labrador.

3. No action has so far been taken on these petitions.

I have, &c.,
WM. MACGREGOR.

Enclosure 1 in No. 57.

To the Honourable House of Assembly in Legislative Session Convened.

The petition of the following fishermen of Ferryland District:

Respectfully showeth:

That your petitioners are engaged in the cod fishery on the southern shore, and until two years ago added to their earnings from that avocation by the sale of bait to American vessels.

That this bait business was one which enabled your petitioners to earn considerable money, and that the visits of these American vessels resulted in the circulation of considerably larger amounts to the sale of ice, stores, fishing outfits, shipping men, and proving a means of circulating at least $40,000 per year to the people of this district.

That two years ago the Government decided upon excluding these American vessels from our waters, in the mistaken belief that by so doing they would injure the American fishermen, whereas they only succeeded in injuring the people of this country.

That not alone have the people of this district been injured directly by the suspending of this intercourse with the Americans, but that the people of the northern districts have been injured to an equal extent by the American fishing vessels which were excluded from this section of the coast, now invading the Labrador waters where our northern fishermen always previously carried on their fishery without interruption.

That during the two years this policy has been enforced 50 or 60 American vessels fishing on the Grand Banks and in Labrador waters, have brought home to Gloucester larger catches than they secured before.

That the only result of the Government's present policy has been to educate the Gloucester fishermen into seeing what little value the privileges are which this Colony grants them, and how easily they can do without us.

That these American vessels have been securing large quantities of bait from freezers in Canadian ports, which are stocked with herring taken around Magdalene Islands and Nova Scotia coasts to use for their spring supply.

That the only result of the Government policy being to deprive our Newfoundland fishermen of this bait traffic and to turn it into the hands of the Canadians.

That as a result of the facilities granted them by Canada in her maritime provinces between 250 to 300 sail of American vessels visit provincial waters every year pay about three times as much in licence fees as Newfoundland ever received, spend corresponding sums in the purchase of bait, ice, and supplies.

That this traffic has become so profitable to the people of these Nova Scotia ports that they are advocating the abolishing of the licence fees altogether, and allowing free entry to the American fishermen, without any restrictions, for the sake of the trade they bring.

That your petitioners believe that the best interests of the people of this district and the Colony in general would be served more by abandoning the present policy and returning to that enforced up to 1904. And that your petitioners, therefore, humbly pray that this Legislature in its wisdom will terminate the present policy of hostility towards the American fishermen, and return to that under which the people of this district and other districts of the Colony were able to earn food for their families by carrying on legitimate traffic with the Americans, instead of being, as they are now, obliged to emigrate to foreign lands to obtain a livelihood denied them at home.

And your petitioners as in duty bound will every pray.

(About 1,000 signatures.)

Enclosure 2 in No. 57.

To the Honourable the House of Assembly of Newfoundland in Legislative Session Convened.

The petition of the undersigned inhabitants of Petty Harbour, Salmon Bight, Spear Harbour, Seal Bight, Murray's Harbour, Little Harbour, and Indian Bight, Labrador; humbly showeth:

That your petitioners have hitherto, by mutual agreement, refrained from using trawls, bultows, and cod-nets on the fishing grounds of our harbours, believing all such contrivances to be destructive and injurious.

We, therefore, pray your Honourable House to enact such measures as will make it unlawful to use any such bultows, trawls, or cod-nets between Cape Lewis and Cape St. Francis within the three-mile limit.

And your petitioners will ever pray, &c.

(56 signatures.)

No. 58.

The GOVERNOR to the SECRETARY OF STATE.

(Received March 9, 1907.)

My Lord, Government House, St. John's, Newfoundland, February 27, 1907.

I have the honour to transmit six copies, revised by my Prime Minister, of the speech on the *Modus Vivendi* delivered by him in the House of Assembly on the 12th instant.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 58.

Speech on the Modus Vivendi, delivered by Right Hon. Sir Robert Bond, P.C., K.C.M.G., Prime Minister, in the House of Assembly, Tuesday, February 12, 1907.

On the Motion to go into Committee of the Whole on Address to the Secretary of State for the Colonies, in relation to the *Modus Vivendi* entered into between His Majesty's Government and the Government of the United States of America respecting the Fisheries of the West Coast

Right Hon. Sir Robert Bond.—In moving the adoption of this address I would crave the indulgence of the House, if in doing so I am compelled to trespass upon its time and patience longer than is my custom. In dealing with this question it will be necessary for me to quote in full such despatches as I am permitted to table, and also have reference to other data that I regret to say I am not permitted to lay upon the table of this House.

This is the first opportunity that has been afforded the Government to publicly state their position in relation to the *Modus Vivendi*, entered into in October last between His Majesty's Government and that of the United States of America.

I have seen quotations from a local newspaper in the British press, accompanied by the statement that the extracts had appeared in my "personal organ," and were believed to have been "inspired" by me. I have no "personal organ," and I have not "inspired" anything that has appeared in the local newspapers. When I was waited on by a representative of the local press and asked for an opinion on the *Modus Vivendi*, I respectfully intimated to the gentleman who desired to interview me that I considered it best to refrain from giving expression to the Government's views until the Legislature met.

The time has now arrived for the Government to fully and freely set forth its position on this question. It would perhaps be too much for me to expect that my views and opinions will pass unchallenged, but I am hopeful that my statement will convince the House that the question involved in the *Modus Vivendi* is not a mere party, political one, but a grave constitutional question in which this Colony and the other Colonies of the Empire are interested, and that, therefore, unanimity of action in respect thereto may be secured. There has been unanimity of action outside this Colony.

Very rarely has the press of Great Britain and of His Majesty's Dominions beyond the Seas shown greater unanimity than in its support of the action of this Government in relation to the *Modus Vivendi*. The extraordinary nature of the arrangement, and the extraordinary manner of its accomplishment has occasioned a feeling of indignation and alarm from one end of the Empire to the other. The leading journals of the Canadian Dominion, of the Commonwealth of Australia, of New Zealand, of South Africa and of India have given forth no uncertain expression of interest in the question that the *Modus Vivendi* has raised, an expression of interest in which indignation and alarm has been blended with genuine sympathy for the people of this Colony.

Someone has said that the press is the great judiciary of these modern times. The press referred to of course are those journals the wide world over whose columns are untarnished by prejudice or passion, by personalities or partizanship, and which stand for truth and justice alone. I rejoice exceedingly that the decision of this great tribunal has been in favour of the position that this Government has taken upon the question.

The question that the *Modus Vivendi* has raised is not one of mere local concern. This Colony is primarily affected thereby, but not by any means solely affected; hence the interest that has been taken in the matter throughout His Majesty's Dominions. Principles of the highest importance are involved therein, principles which form the sub-stratum upon which the liberties of the Colonies under Responsible Government are based. The real question at issue is, how far, according to the principles of the Constitution, His Majesty's Ministers have the power to set aside or limit the operation of local laws which have received the Royal assent, and dispose of the resources of the Colonies without their interests being consulted or their sanction obtained.

Let us briefly consider the subject of Responsible Government before we proceed to analyze the arrangement that we regard as in conflict with its principles.

In the year 1838 Canada was in a state of insurrection. From Prince Edward Island away West to Toronto there was discontent which found expression in deeds of violence. This was consequent upon political grievances that had for several years existed. It was at this juncture that the Imperial Government despatched the Earl of Durham to proceed there as Governor-General and Lord High Commissioner to investigate the affairs of the whole British North American provinces. In the year 1839—that following his appointment—Lord Durham presented to the Queen an elaborate report on the result of his inquiries, in which he attributed all Colonial evils to the absence of responsibility of their rulers to those whom they were called upon to govern, and he recommended as a panacea for all existing political complaints the introduction into the several British North American Colonies of the principle of local self-government. Two years later—in 1841—Responsible Government was introduced into Canada, and its success in Canada, under the presidency of Lord Elgin, father of the distinguished gentleman who is now Secretary of State for the Colonies, led to its introduction into the maritime provinces of British North America, and subsequently into the several Colonies of Australia, New Zealand and the Cape of Good Hope.

It was in the year 1855 that Responsible Government was granted to this Colony. Under and by virtue of the Constitution then granted to us, we, in common with those other Colonies possessing Responsible Government, enjoy the privilege of supreme authority within the limits of the Colony to provide for the peace, order and good government thereof. We possess unreserved powers to deliberate and determine absolutely in regard to all matters of local concern, and complete powers of legislation. We are free to regulate our own commercial policy as we deem best, subject only to the proviso that we may not use this liberty to the direct injury of British commerce, nor infringe upon obligations incurred by the Mother Country in her treaties with other nations. Todd, one of the best authorities upon parliamentary Government in the Colonies, says that "In granting these high and important privileges the Crown did not divest itself of its supreme authority over the Colonies, but that authority is exercised only in the appointment and control of a Governor as an Imperial Officer, and in the allowance, or disallowance, in certain cases, of the enactments of the local Legislature."

All Statutes assented to by the Governor of a Colony go into force immediately, unless they contain a clause suspending the operation until the issue of a proclamation of approval by the King in Council, or some other specified provision to the contrary, but the Governor is required to transmit a copy of all Statutes to the Secretary of State for the Colonies, and the King in Council may, within two years after the receipt of the same, disallow such Act. All Colonial enactments are submitted to the scrutiny of Counsel by the Department of the Secretary of State, and unless they are repugnant to the law of England, or inconsistent with any treaty obligation of the Crown, or prejudicial to the rights and property of British subjects residing outside of the Colony, or prejudicial to the trade and shipping of the United Kingdom or its dependencies, the extreme measure of disallowing colonial acts is seldom resorted to. In fact, the veto of the Crown has for many years fallen into disuse, and when Acts have appeared to His Majesty's Government to be objectionable they have formed the subject of correspondence with the Colony concerned in order that the Legislature thereof may apply the remedy.

Now then, having briefly reviewed our rights and privileges under Responsible Government, and also the limitations that the Crown has placed upon the same, I would observe that if we, as colonists, had been guilty of asserting rights which do not attach to us and had persisted in disregarding solemn obligations contained in treaties, or in setting at nought Imperial Acts of Parliament, then we should have forfeited our rights under the constitution and have deserved to be over-ridden. But even under such conditions any curtailment or suspension of our laws could, I submit, only take place at the hands of the Parliament of Great Britain, for Parliament alone has the power to limit, or annul the laws of this Colony when once approved by the Crown. If this is not the correct position, and His Majesty's Ministers have the power by a diplomatic arrangement to set aside the statutes of this Colony and to dispose of its resources, then the constitution of which we have been so proud is something totally different from what we have believed it to be, and in very fact Responsible Government in the Colonies is a mere delusion.

If, on the other hand, it shall be shown that His Majesty's Ministers had not lawful authority to deal thus with this Colony and that the *Modus Vivendi* was an instrument entirely *ultra vires* within the jurisdiction of this Colony, then it is clear that an attempt has been made to over-ride the constitutional rights of this people, and this Government was justified in resisting each attempt by every constitutional means at its disposal.

The question that presented itself to us was not a mere party political question; it was a great constitutional question. It was not a mere local question; it was one that touched every Colony possessing Responsible Government, and it therefore awakened the sympathy and support of all those who are deeply interested in the integrity of the Empire and who are proud of their origin and inheritance.

In order to view the present position aright it is necessary for us to have regard to the condition of things that preceded it, and for this purpose I shall rapidly review the history of our relations with the United States in respect to the fisheries since the termination of the Washington Treaty in 1884.

On reference to the Journals of the House of Assembly it will be found that on the first of August, 1885, a telegram was received by the Officer Administrating the Government of this Colony from the Secretary of State for the Colonies, intimating that His Majesty's Government deemed it "desirable that steps should be taken by the Government of this Colony to decide definitely on the exact nature of the proposals to be made to the Government of the United States in anticipation of the negotiations which were contemplated in view of the termination of the temporary arrangements that were made by His Majesty's Minister at Washington with the United States Government arising out of the termination of the fisheries articles of the Treaty of Washington of 1871, on the 30th June, 1885." The answer which appears to have been given by the Government of this Colony to this representation was the introduction of the Bait Act in the year 1886. That the adoption of that measure had special reference to the United States of America is clearly evidenced by a despatch from Sir G. W. DesVoeux to the Colonial Office, bearing date 25th day of May, 1886, wherein he stated that:—

"The people in Newfoundland, like those of Canada, desire to use the right to withhold a supply of bait as a means of inducing the American Government to remove the import duties on British fish,"

and again, in that remarkably able despatch from Sir G. Wm. DesVoeux to the Colonial Office, bearing date 4th of January, 1887, in support of the Bait Act, wherein he stated that:—

"American fishermen are protected in the markets of the United States which take all their products by a duty of fifty-six cents per quintal, which is almost prohibitive to the results of British industry," and

"Though the measure, if allowed, would to a large extent place the fisheries in this neighbourhood within the control of the people of this Colony, they have no desire to monopolise them, and I feel satisfied that they would willingly modify the provisions of the measure in favour of such Governments as would grant a proportionate reciprocity . . . . I have very good reason for believing that as regards the United States, the right of obtaining bait would be restored on the opening of the American markets to Newfoundland fish . . . . in a word, the principle that the colonists desire to maintain is 'live and let live,' and they merely object to that of 'let others live by killing us.'"

Following upon this despatch, the late Sir Ambrose Shea and the late Sir Robert Thorburn proceeded to England to urge upon His Majesty's Government the ratification of the measure for which Sir G. Wm. DesVoeux had so eloquently pleaded, and while in London, namely, on the 16th of June, 1887, Sir Ambrose Shea received a letter from the Office of Legation of the United States intimating that:—

"Should the Government of Newfoundland see fit to give notice that American fishermen be admitted to the ports of that province for the purpose of obtaining supplies the proposal will be cordially accepted and acted upon by the Government of the United States. In that event there would be no objection on the part of the United States Government to entertain suggestions for an independent agreement in respect to the fisheries of Newfoundland, and if made by the authorized agents of the Imperial Government."

This was communicated by Sir Ambrose Shea to the Colonial Office, and also to the Government of this Colony, and I find that, on the 3rd of August, 1887, the following Minute of Council was adopted, viz.:—

"A communication was read from Sir A. Shea, enclosing a letter to him from Mr. Phelps, United States Minister in London, on the subject of negotiations for an arrangement between the United States Government and this Colony in regard to fishery questions, and to the effect that the granting of permission, during the present season, to the United States fishermen to obtain supplies in the ports of this Colony, would be regarded with favour by the Government of the United States in connection with such negotiations.

"The Council are gratified at the expression, on the part of the United States Government, of a disposition on their part to enter into negotiations in relation to this important question in a friendly spirit.

"The Council are of opinion that it would be greatly to the advantage of the Colony to be in a position to negotiate for an independent ("separate") arrangement with the United States in relation to fishery and other questions, and that it is desirable that authority should be obtained from Her Majesty's Government for the purpose of opening communication with the United States Government upon the subject as soon as opportunity may appear favourable, subject to such conditions as Her Majesty's Government may consider it advisable to prescribe."

Nothing came immediately of this overture. On the 15th of February, 1888, what is known as the Chamberlain-Bayard Treaty was signed at Washington. This Treaty provided for free fishing in exchange for the free admission of fish and fish products, the result of British catch, into the markets of the United States of America. This Treaty was approved and signed by the United States Government, but was rejected by the United States Senate, and the fishery privileges of the United States consequently reverted to those embodied in the Treaty of 1818.

In this same year, 1888, the Bait Act referred to in the despatch of Sir G. W. DesVoeux was brought into force, and under the provisions of the same, foreign fishing vessels were excluded from the inshore bait fisheries, except under licence, and notices were issued to the United States Government from the Department of the Colonial Secretary of this Colony calling attention to the provisions of the said Act.

By virtue of the authority vested thereunder in the Governor in Council, a tax of $1.50 per net ton was imposed upon all American fishing vessels visiting this coast in quest of bait fishes.

Our relations with the United States continued in this form until the year 1890, when, by a despatch bearing date 28th February, 1890, from Sir Terence O'Brien, Governor of this Colony, to the Secretary of State for the Colonies, the question of a direct and independent trade arrangement between this Colony and the United States of America was revived. This negotiation resulted in my being authorised to proceed to Washington to assist in bringing about such an arrangement. The result of my visit to Washington was what is known as the Bond-Blaine Convention of 1890, which was virtually upon the same lines as the Chamberlain-Bayard Treaty of 1888. This convention was approved by the United States Government, but was not ratified by His Majesty's Government owing to a protest from the Government of the Dominion of Canada, wherein it was contended that before such ratification was made the Canadian Government should be afforded an opportunity to negotiate a similar treaty on her own behalf. His Majesty's Government furnished repeated assurances to this Government that the ratification should not be indefinitely postponed, and that when it should appear to His Majesty's Government that a reasonable time had been afforded the Government of the Dominion of Canada in which to negotiate, the assent of the Crown to the Convention would be forthcoming.

In view of the fact that the United States Government had signified its willingness to exchange a free market with us for bait privileges, and that our Convention was not held in abeyance by reason of any action or want of action on its part, the Government of this Colony extended to United States fishermen for a period of twelve years all the privileges that it was contemplated should be granted under the Convention of 1890.

During those twelve years the Government of this Colony persistently urged His Majesty's Government to fulfil its undertaking as regards the United States Convention, but without avail.

In 1902 I was in England in connection with His Majesty's Coronation and the Conference of Colonial Premiers, and after those functions were over I availed myself of the opportunity of pressing upon the then Secretary of State for the Colonies—Mr. Chamberlain—the unfairness of the treatment that had been meted out to us as a Colony during the twelve years previous in relation to our proposed trade arrangement with the United States of America, and begged the privilege of being again permitted to proceed to Washington to re-open negotiations with the United States Government for an arrangement upon the lines of the Bond-Blaine Convention. That distinguished gentleman, who will ever be justly regarded as the greatest friend the Colonies have had in the Colonial Office, acceded to my request, and furnished me with the necessary authority to proceed to Washington. The result of my visit was what is known as the Hay-Bond Treaty of 1902. This Convention was ratified by the Secretary of State of the United States on behalf of his Government, and by the late Sir Michael Herbert on behalf of His Majesty's Government. It provided, as did the former Convention, for the free admission of fishery products of this country into United States markets in exchange for baiting privileges in this Colony. That Convention was held in abeyance for some considerable time by the Foreign Relations Committee of the United States of America, but in the year 1904 it was reported by that Committee to the United States Senate, where it was virtually amended out of existence at the instance of the fishery interests of Gloucester.

Between 1902 and 1904 the privileges that had been freely extended to the United States during the twelve years previous were continued, but after the action of the United States Senate became known to this Government, in the interests of the trade and commerce of this Colony it was determined that the policy of the Government of 1885—which had been so forcidly and ably advocated by the then Governor, Sir G. W. DesVoeux, should be enforced against American fishermen.

When the Legislature met on the 30th of March, 1905, His Excellency the Governor, in the speech from the throne, said,—"I would observe that the serious loss occasioned the fishermen of this Colony last season by the difficulty of obtaining a full supply of bait fishes rendered it imperative for my Ministers to consider whether the very valuable bait privileges conceded to the fishermen of the United States by the Government of this Colony, in expectation of the ratification of the Convention, could be continued without detriment to our fishery interest. After very careful enquiry and consideration it was decided that, under existing circumstances, local interests would be best conserved by withholding those privileges."

In order to more effectively carry out the provisions of the Bait Act, which had been in force for nearly 20 years against French fishermen, but which, for the reasons I have set forth, were not enforced in their entirety against American citizens, the Government introduced the Foreign Fishing Vessels Act, of 1905, whereby it was provided amongst other things that it shall be unlawful for the master of any foreign fishing vessel "to engage any person to form part of the crew of said vessel in any port or on any part of the coasts of this Island."

The method adopted by American fishermen of conducting the herring fishery on the West Coast of this Colony had ever been by purchase or barter. The Bait Act, as it stood, enabled us to prevent a continuation of that practice, but the Government appreciated that the Americans would attempt to overcome the difficulty occasioned by the enforcement of the Bait Act by engaging local fishermen to form part of their crews and to catch the fish they required. It was for the purpose, then, of preventing this evasion of the spirit and intention of the Bait Act that the clause that I have referred to was inserted in the Act of 1905.

At the close of the Session of 1905, this Foreign Fishing Vessels Act was assented to by His Excellency the Governor, and became the law of the land.

In October of that year the autumn herring fishery on the West Coast commenced, when it was found that American fishermen were determined to ignore the provisions of the Bait Act as well as the Foreign Fishing Vessels Act of 1905. The position was further aggravated by their refusing to comply with our Customs and Revenue laws, and to enter and clear and pay light dues as they had ever done heretofore.

Out of deference to the wishes of His Majesty's Government, this Government abstained from enforcing local statutes against American citizens, on the Treaty Coast, during the autumn fishery of 1905, thereby occasioning themselves very considerable embarrassment. They were led to adopt this course believing that during the period that would elapse before the next fishing season came round a special effort would be made by His Majesty's Government to arrive at a satisfactory solution of the difficulties that had arisen by reason of the action of United States fishermen, and failing such solution, that His Majesty's Government would strictly confine the United States to the privileges accorded its inhabitants by the Treaty of 1818.

It will be remembered that at an early period of last Session I introduced a bill to amend the Foreign Fishing Vessels Act of 1905, by declaring that the first part of Section 1, and the whole of Section 3 thereof do not apply to foreign fishing vessels resorting to Newfoundland waters in the exercise of treaty rights. This was done at the request of His Majesty's Government in order to meet objections that had been raised to the measure by the Government of the United States. The Foreign Fishing Vessels Act of 1906 also contained the provisions:—(1) that it should be unlawful for a resident of this Colony to leave it for the purpose of engaging in foreign fishing vessels intending to fish in the waters of this Colony; and (2) that it should be unlawful for the master, owner, or agent of any foreign fishing vessel to engage British subjects to fish for them within the territorial waters of this Colony. These provisions were rendered necessary because while the Bait Act of 1887 declared that no man should take bait fishes within the jurisdiction of this Colony without a licence, and the Foreign Fishing Vessels Act of 1905 declared that any master who attempted to engage any person to form part of the crew of any foreign fishing vessel in any port or on any part of the coast of this Island should have his vessel confiscated, in the autumn fishery of 1905 the Americans deliberately proceeded to aid and abet our fishermen in violating the Bait Act by engaging them through agents in Bay of Islands as part of their crews, taking them outside the three mile limit to formally ship and enter their service, and returning with them inside our jurisdiction to fish.

It will be observed that whereas the Foreign Fishing Vessels Act of 1905 penalized the master of any foreign fishing vessel for engaging any person to form part of the crew of said vessel within the jurisdiction of the Colony, the amending Act of 1906 penalized the master, owner or agent of such vessel who should engage British subjects either outside or inside our jurisdiction and utilize them within our jurisdiction to fish for them.

The machinery for a complete control over our own people so as to prevent them from aiding the Americans in catching such fishes was thus provided by this Legislature, but this machinery was rendered inoperative by the *Modus Vivendi,* and its promulgation by the Senior British Naval Officer on this station.

Let us now examine this extraordinary diplomatic arrangement known as the *Modus Vivendi.* I use the term extraordinary because I have been unable to find any precedent for such an arrangement. Because while the Statute law of this Colony (which, until disallowed, is the law of the Empire) declared, "Thou shalt not," the *Modus Vivendi* declared, "Thou shalt," and thereby purported to legalize what the law had penalized. Because while the Constitution under which we live confers upon this Legislature supreme authority within the limits of the Colony to provide for the peace, order and good government thereof, and unreserved powers to determine absolutely in regard to all matters of local concern, the *Modus Vivendi* purported to strip this Colony of those powers and to vest them for the time being in His Majesty's Ministers. Because in the year 1865 the Imperial Parliament passed an Act to remove all doubts as to the validity of Colonial laws, the 7th section of which provides that:—

"All laws or reputed laws enacted or purporting to have been enacted by the Legislatures which have received the assent of Her Majesty in Council, or which have received the assent of the Governor of the said Colony in the name of and on behalf of Her Majesty, shall be and be deemed to have been valid and effectual from the date of such assent for all purposes whatever." Because the British Parliament having thus declared the validity of our laws it alone had the power to suspend, limit or annul the same.

On the 6th of October last the Secretary of State for the Colonies announced to this Colony by telegraph the conclusion of a *Modus Vivendi* with the United States Government, and furnished a full text of its terms, which may be summarized as follows, viz.:—

1. Permission to the Americans to use purse seines during the ensuing season, the use of which instruments of capture the law of this Colony had prohibited and penalized;
2. Permission to the Americans to ship Newfoundland fishermen outside the three mile limit, which, by the law of the Colony, was prohibited and penalized;
3. The undertaking on the part of His Majesty's Ministers not to bring into force the Foreign Fishing Vessels Act of 1906, an Act regarded by the Legislature of this Colony as essential in order to control the conduct of British fishermen and effectively enforce the provisions of the Bait Act;
4. An undertaking on the part of His Majesty's Ministers to limit the operation of a law of this Colony (the Foreign Fishing Vessels Act, 1905) by the non-enforcement of the first part of Section 1 and the whole of Section 3.

In return for these concessions the American Government consented:—

1. To advise American fishermen to obey the law of this land and "not to fish on Sunday";
2. To direct that Americans should "comply with the Colonial law as to reporting at Customs House and paying light dues when physically possible."

It is important to note at this point that prior to the year 1905 the Americans had always entered at the Customs and paid light dues, and had not fished on the treaty coast in contravention of the Sunday law.

The entirely one-sided nature of the agreement will be thus apparent to this House.

A few years ago President Roosevelt, whose high ideals of public and private duty and service have won for him the admiration of the best men the world over, made a demand in favour of what he termed "A square deal all round." Now that is precisely what the Government of this Colony has been contending for, and it is precisely what has not been experienced. There has not been "a square deal all round," but the correspondence published for the information of the Imperial Parliament, which I have tabled, only reveals this in part. This Government requested that the whole of the correspondence in relation to the *Modus Vivendi* be tabled, but His Majesty's Government have not deemed it expedient that such should be done. In order, however, that this House should arrive at a proper understanding of the matter, I shall, with the aid of the notes that I have made, outline what has really transpired.

The origin of the *Modus Vivendi* may be found in the speech with which His Excellency the Governor opened this House in March, 1905, which was his Ministers' declaration of policy. I have already quoted the paragraph of that speech, which was a notice to all parties concerned of the intention of this Government to discontinue to American fishermen the privileges which had been gratuitously extended to them for a period of fifteen years, and to confine them to their strict rights under the Treaty of 1818.

Following upon this notice was the introduction of the Foreign Fishing Vessels Act of 1905, the main object of which was to supply defects in the Bait Act of 1887 and enable the Government to rigidly enforce it against foreign fishermen.

In the month of October, 1905, American fishing vessels commenced to put in an appearance on our coast, and very soon afterwards most misleading reports as to the conduct of the fishery were sent in to the American Government. Where they were sent from or who they were sent by I am not prepared to say, for I do not know. I do know, however, that they were communicated to Sir Mortimer Durand, the British Ambassador at Washington, by the United States Government, and by him to the Government of this Colony, under date 13th of October, 1905. The character of the complaints will be seen on reference to the correspondence which has been tabled. They were entirely fictitious and unwarranted.

On the 20th of October, 1905, this Government forwarded a reply, which has not been published, expressing their surprise that His Majesty's Ambassador had been misinformed as to the attitude of the Government of this Colony towards American fishermen, inasmuch as they were aware that representatives of the American Government on board the American cruiser "Grampus" had been for some time, and were then, at Bay of Islands, and therefore could not but be fully cognizant of the fact that there had been no attempt whatever on the part of the Government of this Colony or the people of the Colony to interfere with the rights of American fishermen under the Treaty of 1818.

A few days later the complaints took on a more definite form, and on the 25th of October a telegram was received from the Secretary of State asking "for what purpose this Government had required United States vessels to produce United States fishing licences; why United States vessels were required to obtain licences from this Government, and by what law and in what circumstances to enter and clear at Customs House?" On the following day, the 26th, a reply was sent to these queries:—

1. That the Government of this Colony had not required United States vessels to produce United States fishery licences.

2. That United States vessels had not been required to obtain licences from the Government of this Colony.

3. That in respect to entering and clearing the Government of this Colony considered that under the Customs Act, 1898, particularly Section 22, 61 Vic., Cap 13, which provides that,—"the master of every vessel coming from any port or place out of this Colony, or coastwise, and entering any port in this Colony, whether laden or in ballast, shall go without delay when such vessel is entered or moored, to the Custom House for the port or place of entry where he arrives and shall make a report in writing to the Collector or other proper officer, of the arrival and voyage of such vessel," &c. United States vessels are not exempt, and that neither are they exempt by the Convention of 1818. They submitted that when the Sovereign Power granted fishing privileges to the United States under the said Convention it retained its inherent rights of sovereignty, such as the right to enforce the treaty within its own dominion, and to make and enforce all laws not inconsistent with the same; that one of the inherent rights of sovereignty is to prevent smuggling and crimes of all kinds; that the Government, by virtue of the Constitution granted to them by His Majesty, is the paramount power within the three mile limit of the coasts of the Colony, and that it is their inherent right to decide what measures shall be adopted to protect the revenues of the Colony from smuggling, and that one of the measures adopted is the obligation of all vessels to enter at the Custom House.

They pointed out that the correctness of this position was not questioned by American fishermen until two days previous to the receipt of the telegram from the Secretary of State, when the masters of the United States schooners "H. M. Stanley," "Senator Gardner," "Tattler," and "Maxine" refused to make a formal report to the Sub-Collector at Bay of Islands, informing him that they were advised by wire while at Sydney not to do so. They further pointed out that in January, 1900, two United States schooners were fined respectively $100.00 and $180.00 for non-report; that in June, 1902, two other United States schooners were fined respectively $160.00 and $100.00; but with these exceptions United States vessels had always entered and cleared at the Customs. They concluded their reply to the Secretary of State by intimating that out of deference to the wish expressed by His Majesty's Government they would refrain from any action likely to cause friction with the United States; that up to the moment of transmitting this reply no steps had been taken to vindicate the law, but the Government felt confident that His Majesty's Government would concur with the view that however embarrassing it might be the majesty of the law should be upheld by legal proceedings provided in such case.

On the same day, namely, the 26th of October, 1905, His Majesty's Government was advised that a formal notice had been handed to Inspector O'Reilly by agents of the United States vessels at Bay of Islands that "members of crews of American vessels whose homes were in the Bay of Islands, and who had been shipped in North Sydney, would commence on the following day to use certain boats and nets belonging to them and then at their homes, in catching herrings for the said American schooners," which the Government regarded as a deliberate intention on the part of United States fishermen to aid and assist the subjects of His Majesty in evading or violating the statute law of the Colony, namely, Cap. 129, Consolidated Statutes, and Regulations made thereunder, and His Majesty's Government were moved to notify the United States Government that should the violation be attempted the Government of this Colony would take all proper steps to prevent the same. On the following day a cable was transmitted to the Secretary of State in support of the position set up in the despatch of the previous day, and wherein it was contended:—

1. That the Government of this Colony has complete authority in its own territory to carry out the Bait and Foreign Fishing Vessels Acts;

2. That the Foreign Fishing Vessels Act stipulates that any attempt "to engage any person to form part of the crew of the said vessel in any outport or on any part of the coasts of this Island" shall subject the vessel to forfeiture;

3. That the employment, therefore, of the fishermen of this Colony in catching herrings, at Bay of Islands, for Americans, would be a violation of Section 1 of said Act.

4. That the said Act further provides that no foreign fishing vessel shall enter the waters of this Colony "for any purpose not permitted by treaty or convention for the time being in force";

5. That the employing, shipping, or hiring of the people of this Colony by the United

States fishing vessels for the purpose aforesaid is not permitted by treaty, and therefore amounts to a violation of the paragraph above quoted;

6. That the privileges granted to the United States under the Treaty of 1818, were to the inhabitants of that country alone, and the people of this Colony who proceed outside the three mile limit and engage or hire themselves to catch herring for United States vessels are not *bonâ fide* inhabitants of the United States and therefore are not privileged by the Convention of 1818, nor does the mere hiring of themselves to United States citizens exempt them from the penalties to be imposed upon British subjects for a violation of the law of this Colony.

7. That the catching of herrings by men so engaged would be a clear violation of the Bait Act, which had been in force for many years, and they concluded this despatch by reiterating that, while out of deference to the desire expressed by His Majesty's Government that all possible cause of irritation and friction with the United States might be avoided, they felt that the daily violations of the laws of the Colony by United States citizens, then in the harbours of the Treaty Coast, could not be longer permitted without the demoralization of the Civil Service of the Colony and the engendering of disrespect on the part of the people of the Colony for all constituted authority.

After the fishing season of 1905 had closed and the Americans had been permitted to do as they pleased, the correctness of this position, it will be found on reference to the correspondence tabled, was upheld by His Majesty's Government (see despatch, Foreign Office to the United States Ambassador, of February 2, 1906), and was concurred in by the American Government, as will be seen on reference to the enclosure in Sir Mortimer Durand's despatch to Sir Edward Grey, of date January 18, 1906, yet in the face of this His Majesty's Government subsequently receded from its position, and ignoring the representations of this Government granted this privilege to the Americans by that special instrument known as the *Modus Vivendi.*

As I have stated, out of deference to the desire of His Majesty's Government, the Government of this Colony refrained from enforcing the laws, and American fishermen openly and defiantly and with impunity violated throughout the season of 1905 the Customs, Revenue and Fishery laws of the Colony. This Government having pointed out to His Majesty's Government what they regarded as both lawful and just, accepted the responsibility for the non-enforcement of the law against American fishermen, content to bear the embarrassment and censure that might attach thereto, in the hope and expectation that during the twelve months that would ensue before another fishing season came around, diplomacy or a strict interpretation of American rights under the Treaty of 1818 by His Majesty's Government, would lead to a recognition of the rights of this Colony and of the validity and sanctity of its laws.

It is important to note at this point that ten months prior to the date when His Majesty's Government intimated to the United States Government its willingness to enter into a *Modus Vivendi,* it was in possession of the views of this Government in respect to each privilege subsequently granted to the United States under that instrument.

By reference to the copy of correspondence presented to the Imperial Parliament, and which has been laid upon the table of this House, it will be observed that under date 18th of July last, Sir Mortimer Durand, the British Ambassador at Washington, forwarded a despatch to the Foreign Office covering two enclosures, being two newspaper clippings. These have a special significance. Enclosure one is a letter from Congressman Gardner, representative of the fishery interests of Gloucester, Massachusetts, to the Gloucester Board of Trade, dated July 7th, 1906, and published in the Boston "Herald," of July 9th, in which he declared that he had received a letter from the Secretary of State of the United States, and that the "State Department held that local regulations (Newfoundland law) prohibiting purse-seining, are unreasonable as against American fishermen," and that if said fishermen undertook to exercise their rights in that way the State Department would do everything in its power to help them. It also dealt with the shipping of local fishermen. Enclosure two is an extract from the "Boston Traveller," of July 9th, in which it was declared that "seining is in direct violation of the local law of Newfoundland, yet Secretary Root in his report is expected to say that not only have American vessels the right to seine along the Treaty Coast, but they will be protected in these rights. This winter the State Department will be represented in Newfoundland waters, but it will not be on the deck of a sailing vessel but a Government vessel of some kind, to see that the rights of American citizens are well looked after."

It does not appear from the published correspondence that these threats formed the subject of either enquiry or remonstrance, but it does appear that the United States Government pressed upon His Majesty's Government the demand for the right to use purse seines, and received the sanction of His Majesty's Government; and that the United States Naval tug "Potomac" was sent to Bay of Islands and remained there during the whole fishing season.

In the light of subsequent events it is not unreasonable to conclude that these two articles were intended to pave the way for what followed a month later, namely, the *Modus Vivendi,* which contained a complete surrender of the rights of this Colony to regulate the conduct of its inshore fishery and abrogated the law of the Colony in the interests of American fishermen. The subjects of His Majesty have rarely had forced upon them greater humiliation. The process of humiliation could scarcely have been forced to a greater extreme than when the law respecting people of this Colony, men who looked up to the flag which floats over them as the symbol of greatness, majesty, power and justice, were compelled to witness foreign agents entering the coves, creeks and harbours of this Colony, collecting together the lawless ones to bid defiance to the laws of this Colony, under the protection of H.M.S. "Brilliant."

The question of the use of seines by Americans in the prosecution of the herring fishery had arisen the year previous, and under date 26th of October, 1905, the attention of His Majesty's Government was drawn to this matter. His Majesty's Government was then advised that this Government proposed to prevent the use of seines by United States vessels as being contrary to the law enacted for the preservation of the fishery, and calculated to entail serious loss to the people of this Colony by the barring of herring to the exclusion of our people. It was submitted that it could not successfully be contended that the Newfoundland law against seining is in any sense antagonistic to the treaty obligations of His Majesty's Government to the United States, which stipulates that the inhabitants of the United States have forever "in common" with the subjects of His Britannic Majesty, the liberty to take fish of any kind on that part of the Southern and Western Coasts of Newfoundland, as defined in the treaty; that as the prohibition of the use of seines applies equally to British subjects, who are obliged to conform thereto, it could hardly be successfully contended that United States subjects, who have the right to fish "in common" with British subjects, are exempt from such regulations as have been deemed necessary by the Legislature of this Colony, for the preservation of the fisheries in the Treaty waters. In reply to this representation this Government was informed that the United States Government did not concur in their view as respects the use of seines.

An attempt has been made to justify what has been done on the ground that a majority of the fishermen of Bay of Islands were not in sympathy with the policy of this Government. I deny this upon the authority of Fishery Inspector O'Reilly, who has informed the Government that the great majority of the people of Bay of Islands and the West Coast are in full sympathy with the Government's policy. I deny it upon the authority of statistics, which show that out of more than 2,000 local fishermen that were engaged in the herring fishery during the past season, only 640 shipped to American masters, and that number was obtained from various parts of the Colony.

But suppose that the whole population of Bay of Islands were opposed to the policy of this Government—could that form a justification for the *Modus Vivendi* and its accompaniments? Unless I am mistaken the duty of the State in all circumstances is to look beyond the individual or the section, and look towards the general advantage, and that it is the essence of statesmanship that burdens should be distributed and benefits shared, for the interests of all are interwoven. The policy of this Government was in the intersts of the whole people of this Colony.

A perusal of the correspondence tabled will reveal the fact that the first intimation the Government received respecting the *Modus Vivendi* was by a telegraphic despatch of date 8th August, from the Earl of Elgin to the Governor of this Colony, announcing that His Majesty's Government were then informing the United States Government that they were prepared to negotiate a provisional agreement dealing with the conduct of the approaching fishery, and requesting the Governor of this Colony to report whether his Ministers had any suggestions to offer as to the nature of that arrangement. It will be observed that His Majesty's Government had pledged themselves to a *Modus Vivendi* dealing with the fisheries of this Colony, without first consulting this Government; that it was only after this pledge had been given that this Government was asked if it had any suggestions to offer. This was regarded by my colleagues and myself as a note of menace, and we, therefore, immediately transmitted a telegram to the Right Honourable the Secretary of State for the Colonies stating that a full reply to his telegraph despatch of the 8th August, would be transmitted without unnecessary delay, and in the meantime we relied upon the assurance contained in Mr. Labouchere's despatch of the 26th March, 1857, that "the consent of the community of Newfoundland would be regarded by His Majesty's Government as the essential preliminary to any modification of our territorial or maritime rights"; and they assumed that His Majesty's Government would not submit any proposals to the Government of the United States that would be at variance with that engagement. What little effect this despatch had with His Majesty's Government I shall presently indicate.

It has been asserted in some quarters that unnecessary delay occurred between the receipt of Lord Elgin's cablegram of the 8th August and the Government's reply thereto. If reference is had to Lord Elgin's cable despatch of that date it will be noticed that His Lordship stated that copies had been forwarded to His Excellency the Governor by last mail of communications that had passed between His Majesty's and the United States' Governments in reference to the matter of the conduct of the fisheries. Before this Government could intelligently deal with this important telegraphic despatch they had to await the arrival of the correspondence referred to. This was received by His Excellency the Governor on the evening of the 14th of August, and was immediately sent by His Excellency to me for the consideration of his Ministers. It proved to be Secretary Root's Memorandum to the Foreign Office in which he put forward the conditions:—

1. That there should be no interference on any grounds by officers of the Newfoundland Government with American fishermen;
2. That the Convention of 1818 justifies no interference;
3. That the fishery laws of the Colony are not binding upon United States fishermen: and
4. That American fishermen are not obliged to conform to our Revenue and Customs laws.

This important memorandum, and the telegraphic despatch of Lord Elgin, of date 8th August, which referred to it, were taken into consideration by Committee of Council the following day, and a full reply thereto was forwarded to His Excellency the Governor for transmission to the Right Honourable the Secretary of State for the Colonies that same evening, as follows:—

"August 15th, 1906.—The Committee of Council have had under consideration the telegram received by His Excellency the Governor from the Right Honourable the Secretary of State for the Colonies of date the 8th instant, together with his despatch, confidential, of the 6th instant, and its enclosure. They observe the contention of the United States Government and its request to His Majesty's Government "to prevent any interference upon any grounds by officers of the Newfoundland Government with American fishermen when they go to exercise their Treaty rights upon the Newfoundland coast during the approaching fishery season."

Ministers feel that the contention and the request cannot but have been regarded by His Majesty's Government as entirely unreasonable, and such as neither His Majesty's Government nor the Government of this Colony can concur in.

The contention "that the Convention of 1818 justifies no interference, reasonable, or unreasonable, with the exercise by America of the fisheries" in the waters of Newfoundland, is equivalent to a declaration that seven hundred miles of the territorial waters of this Colony were, by that instrument, reserved from British jurisdiction, and set apart as an area within which American citizens were exempt from the operation of statute law, and free to use any fishing implements, no matter how injurious, in the conduct of the fishery. In "the exercise by America of the fisheries" in the waters of this Colony there have been in the past very grave violations of statute law, such as murder, assaults, robberies, and smuggling. The offenders were punished in accordance with the law relating to each particular offence, and this was a reasonable interference to which the United States Government now appear to take exception.

If it be stated in explanation that the contention only had reference to the fishery regulations now in force in this Colony, Ministers would observe that such regulations are as much the statute law as the chapters under which the above-recited offences were dealt with, and that they apply to all persons, irrespective of nationality, who operate the fisheries within the territorial waters of the Colony.

These fishery regulations were adopted by the Legislature with a view to the preservation and continuance of the fisheries.

Most of them have been in force for years, and their necessity is made evident by the fact that they have resulted from petitions to the Legislature sent in by the fishermen of the Colony, who were prepared to submit to restrictions and limitations being placed upon their own labour in order to secure a continuance of the industry upon which they solely depended for a livelihood."

That such fishery regulations or laws have heretofore been regarded by the United States Government as not only reasonable, but desirable, will appear on perusal of a circular that issued from the Department of State, Washington, to the Collector of Customs at Boston, dated the 28th March, 1856, and which was quoted in full by Lord Salisbury in his despatch to Mr. Hoppin under date the 3rd April, 1880.

The United States Government, as far back as that date (1856), ordered that it should be made known to the masters of fishing vessels that, as there were certain "Acts of the Colonial Legislature, as also, perhaps, Executive Regulations, intended to prevent the wanton destruction of the fish which frequent the coasts of the Colonies and injurious to the fishing thereon, it is deemed reasonable and desirable that both United States and British fishermen should pay a like respect to such laws and regulations which are designed to preserve and increase the productiveness of the fisheries on these coasts. Such being the object of these laws and regulations, the observation of them is enforced upon the citizens of the United States in a like manner as they are observed by British subjects. By granting the mutual use of the inshore fisheries neither party has yielded its right to civic jurisdiction over a marine league along its coast. Its laws are as obligatory upon the citizens or subjects of the other as upon its own."

The Committee of Council would also have reference to the despatch from Mr. Bayard, of the Department of State, Washington, to Sir Lionel West, bearing date 10th May, 1886, wherein Mr. Bayard stated: "Since 1818 certain important changes have taken place in fishing which have materially modified the conditions under which the business of inshore fishing is conducted, and it must have great weight in any present administration of the Treaty. . . . Everything will be done by the United States to cause its citizens engaged in fishing to conform to the obligations of the Treaty and prevent an infraction of the fishing laws of the British provinces."

Again, in a despatch from Mr. Bayard to Sir Lionel West of date 20th May, 1886, that gentleman stated that he was desirous that due and full observance should be paid by citizens of the United States to local laws and commercial regulations of the ports of the British provinces. In view of the foregoing, and of the fact that the Government of the United States has long been aware of the necessity of reference to the Colonial Governments in matters affecting their inshore fisheries, the objection or the contention now set up by the United States is somewhat remarkable.

If the fishery regulations or laws of this Colony had been so framed and executed as to make any discrimination in favour of British fishermen, or to impair the rights conveyed to the United States fishermen by Treaty, then there would be sufficient justification for the position taken by the Government of the United States, the fishery granted to the United States under the Treaty of 1818 being a fishery "in common" with His Majesty's subjects.

It will not be disputed that British sovereignty on the Treaty Coast is limited in its scope to the extent implied by the words "in common"; but, on the other hand, it is submitted that if, as is the case, the fishery regulations or laws of this Colony as framed and executed do not make any discrimination in favour of British fishermen, then the obligation on the part of United States fishermen to observe them, in common with His Majesty's subjects, attached from the date that the Treaty of 1818 came into force.

It has to be remembered that by the signing of the Treaty of 1818 Great Britain was not the recipient of sovereignty to which attached conditions. She was the possessor of prior existing sovereignty, conveying to American fishermen a certain right of fishing in common with the subjects of His Majesty. It will hardly be disputed that in point of law fundamental rights connected with the said Treaty are prior to and take precedence of derivative rights—in other words, that rights and sovereignty are superior to special rights granted from them.

It would be an inversion of this well-recognised principle to suppose that His Majesty's Government in granting to American fishermen a fishery "in common" with British subjects conceded any other fishery, much less an exemption from the laws governing the territory in which the privileges were to be exercised.

Even if the Treaty were of doubtful meaning in respect of matters in dispute, the recognised principle of international law would demand that the doubt should be resolved in favour of the Sovereign Power. But it is submitted that Article 1 of the Convention expressly recognizes the sovereign right of Great Britain to make and enforce laws in connection with the fishery that she had granted to the citizens of the United States of America, in common with her own subjects.

It would appear that the position now taken by the United States Government is that the fishery and other laws passed by the Legislature of this Colony and enforced by its officers are not binding upon American fishermen exercising in the waters of the Colony their Treaty rights.

This is the first time, so far as the Committee of Council is aware, that the right of the Newfoundland Legislature to legislate for the protection of its fisheries and its revenues, and the validity of such legislation as against the citizens of foreign countries, has been called in question, and they feel sure that His Majesty's Government will not fail to point out that such legislation, unless it is disallowed by His Majesty, becomes part of the law of the Empire.

While it is the first time in the history of this Colony that this position has been set up, we have evidence that it was more than once advanced by the United States Government in relation to Canada.

In a report by the late Sir John Thompson, Minister of Justice of Canada in 1886, it is stated as follows, namely:—

"The efforts made on the part of the Government of the United States to deny and refute the validity of Colonial Statutes on this subject (fisheries) have been continued for many years, and in every instance have been set at naught by the Imperial Authorities and by the Judicial Tribunals." (See Inclosure 3 in despatch of Mr. Bramston to Sir Julian Pauncefote, dated 1st December, 1886.)

The contention of the Government of the United States that the Convention of 1818 justifies no "unreasonable" interference with the exercise by Americans of the fisheries on the Treaty Coast is so self-evident that it was entirely unnecessary to advance it, unless it has been made to appear to the Government of the United States that the Government of this Colony has exercised or attempted to exercise "unreasonable" interference. It would be a matter of profound regret to Ministers if any officer of the Newfoundland Government attempted any "unreasonable" interference with Americans exercising their rights of fishery on the Treaty Coast.

Every possible precaution has been taken by the Government of this Colony to prevent such unreasonable interference, and during the last autumn fishery on the Treaty Coast, when public feeling ran exceedingly high on account of the unlawful procedure of American fishermen, which has formed the subject of previous Minutes of Council, dated the 26th and 27th October, 1905, no single case of "unreasonable" interference by either the officers of this Government or the fishermen of the Colony was reported to the Government, or, so far as Committee of Council is aware, occurred throughout the whole season. They are aware that it was reported to the Department of the Secretary of State of the United States from some source unknown to them that there had been an "unreasonable" interference with the exercise by American citizens of their right of fishery, namely, that their nets had been destroyed by certain fishermen of this Colony, but on hearing of this alleged offence a rigid inquiry was instituted, which resulted in a complete refutation of the charge, seven captains of American fishing vessels making affidavit before the Commissioner, J. O'Reilly, J.P., that no nets or gear belonging to American fishermen were destroyed by Newfoundlanders, and that if any such damage was committed it was done "by the crews of the American vessels against one another, and not by Newfoundlanders." The said affidavits further set forth that American fishermen were treated "in the best possible manner by the people of Newfoundland, and were not interfered with in any way by them."

What is meant by the reference of the United States Government to Lord Salisbury's note to the United States Ministry, dated the 3rd of April, 1880, is not entirely clear, but if the United States Government desires it to be inferred that the words of Lord Salisbury limited the operation of the municipal law to that which was at the date of the signature of the Treaty of Washington in force, the Committee of Council are of opinion that there is no justification for such an inference, for the words "in common" clearly meant that there was to be equal enjoyment of the fisheries, and there could not be equal enjoyment or fishing in common if American fishermen could prosecute the fishery on Sunday while British fishermen were prevented by municipal law from so doing.

The presumption that light dues were not levied in 1818 is no doubt correct, for the very good reason that the Colony had not at that time, nor until a much more recent date, any system of marine lights on that coast. Such lights have, however, been established out of the revenues of the Colony, and they have to be maintained from the same source.

It is therefore difficult to imagine that a foreign nation, actuated by a desire for justice alone, would contend that, while British fishermen are under the necessity of submitting to taxation for the maintenance of lighthouses, foreigners should be permitted to participate in their benefits without contributing anything to the expense.

The Committee of Council noticed the reference to 15 Geo. III., Cap. 31, but they fail to observe in that Statute any justification whatever for the position taken by the United States Government.

Since that Statute was passed others have been enacted, approved and enforced that rescinded the provisions referred to, and the latter enactments, the Committee of Council hold, are binding upon American citizens in common with the subjects of His Majesty, provided that it cannot be shown that any invidious distinction is drawn between the subjects of the two nations.

The Revenue and Customs Laws were not adopted in order to increase the extent of the restrictions of the Treaty of 1818, neither were the Fishery Regulations framed to limit the privileges of American citizens.

They were adopted by the local Legislature and approved by His Majesty's Government for the purpose of protecting the revenues of the Colony and the fisheries of the Colony. In enforcing these laws the Government were only acting within their constitutional rights, and doing what the Government of the Dominion of Canada have been and are still doing; and in view of the injury which would result to the revenue and fishery interests of the Colony if any facilities not expressly authorised by the Treaty of 1818 were conveyed to American fishermen, the Committee of Council deem it their duty, so long as the relations of Newfoundland with the United States are regulated by that Convention, to insist upon a strict observance of its provisions in this respect.

The real source of the difficulty that has arisen is well understood: it is to be found in the irritation that has taken place among the fishermen of Gloucester on account of the termination by the Government of this Colony of the privilege of purchasing bait fishes—a privilege which was gratuitously permitted to them for the past fifteen years in anticipation of the ratification of a Trade Convention negotiated in 1890, then approved by the Government of the United States, and a second time approved in 1902.

This Government has given indisputable proof of its earnest desire to cultivate and extend commercial relations with the United States, and it is assuredly from no fault on the part of this Government that the conduct of the fisheries has now been relegated to the Convention of 1818.

In view of the rejection by the United States Senate of the fishery arrangement between this country and the United States, which was approved by the late Secretaries of State (Blaine and Hay) on behalf of the Government of the United States, it is not unreasonable that the Colony should insist upon the rights secured to her by Treaty, and withhold those privileges which were freely and gratuitously extended to the United States fishermen for the past fifteen years until that arrangement is confirmed.

The exercise of such claims as those that are now set up by the United States Government, namely:—

1. Exemption from the laws of this Colony or from their enforcement by officers of the Newfoundland Government; and
2. The use of fishing appliances, such as seines, which is prohibited in the waters of this Colony, would involve in their consequences the deprivation of the people of the Colony of a valuable maritime industry, the ultimate extinction of a present source of wealth to its people, and the virtual transfer of the sovereignty within certain territorial waters of the Colony to a foreign Power.

For more than a century this Treaty Coast was barred to British enterprise by an anomalous and intolerable condition of affairs that arose out of French claims, and it was only within the last two years that the Colony was relieved from that condition. If the claims now set up by the United States Government are acquiesced in, the latter condition of things will be worse than the first.

Against any recognition of such claims the Committee of Council respectfully and earnestly protest, and they cannot be consenting parties to any relaxation of the Statute Laws of the Colony in favour of American citizens who come to the Treaty Coast to exercise in common with the subjects of His Majesty a right of fishery.

They would strongly deprecate any provisional arrangement, such as is suggested by His Majesty's Government in the despatch under reference, which would relieve American citizens of a proper recognition of these Statute Laws. It is submitted that the interests of the Empire, and not those of Newfoundland alone, require that the right of sovereignty within its own dominion should be maintained inviolate, and the Committee of Council cannot accept the view that any foreign Power has a status or consultative claim in the matter of the framing, or adoption, or the carrying out of laws for the government of any portion of this Colony.

The quotation from the speech of the Premier of this Colony, contained in Mr. Root's communication to Mr. Whitelaw Reid, of date 30th June, 1906, is wrongfully applied, and this will be immediately apparent to His Majesty's Government on a perusal of the said speech. Up to the date of the approval of the Bill therein referred to, American fishermen, by the courtesy of this Government, were permitted to freely purchase bait supplies all round the coast of this Colony. This was a privilege gratuitously extended to them for fifteen years, dating from the signing of what is known as the Blaine-Bond Convention of 1890.

The Premier's remarks had reference only to the determination of the Government of this Colony to terminate that privilege and to confine American fishermen to such rights as they possessed under the Convention of 1818.

It is observed that the closing paragraph of Mr. Root's communication aforesaid has reference to the Foreign Fishing Vessels Act of 1905.

At the instance of His Majesty's Government that Act was amended during the present year, and in order that there shall be no misunderstanding as regards the intention of the Legislature of the Colony, and to prevent such a complaint as that contained in Mr. Phelps' despatch to Lord Rosebery of date 2nd June, 1886, that restrictions were about to be enforced without notice, the Committee of Council would advise that a Proclamation do issue bringing into operation the Foreign Fishing Vessels Act of 1906.

They believe that its early issue will operate as a deterrent, and prevent the necessity for that interference by officials of this Government that the United States' Government evidently anticipate.

His Excellency the Governor most promptly advised the Secretary of State for the Colonies of the receipt of this Minute, and intimated that a copy would be forwarded at the earliest opportunity.

On the 17th of August His Excellency the Governor received a cablegram requesting a summary of the Minute, and this was forwarded by His Excellency, as will appear on reference to the correspondence, on the 19th of August.

It will be observed, then, that no unreasonable delay occurred in formulating a reply to the Secretary of State's despatch of the 8th of August or in transmitting it.

This Minute called forth a cable despatch from the Secretary of State under date 3rd September in which he expressed "much disappointment at the attitude assumed by this Government, and the opinion that this Government failed to appreciate the serious difficulty in which their policy had placed both them and His Majesty's Government." They were reminded of Lord Kimberley's speech in the House of Lords in 1891 when discussing the course taken by Lord Salisbury's Government on the French Shore question, and were informed that His Majesty's Government had decided to act on the principle indicated in Lord Kimberley's remarks and were accordingly proposing to the United States Government a *Modus Vivendi* in which the Foreign Fishing Vessels Act, passed by the Legislature in 1906, was to be held in abeyance; the first part of Sec. 1 and the whole of Sec. 3 of the Foreign Fishing Vessels Act, 1905, were to be held not to apply to United States fishing vessels, and the payment of light dues was to be waived. On the other hand the United States vessels should report at Customs on entering and clearing, and United States fishermen were to comply with the colonial fishery regulations. It was hoped that the United States would accept these proposals, but the Secretary of State wished to warn this Government that some further concessions might be necessary. It will be seen later that the United States Government culled from this proposal everything that was advantageous to them, discarded what was not, and then demanded and received far greater privileges.

There was also a second despatch received from the Secretary of State for the Colonies, under date 3rd September, in which His Majesty's Government requested to be informed "whether this Government, in the event of negotiations for a *Modus Vivendi* breaking down, would be prepared to indemnify His Majesty's Government against any claims for compensation that might be preferred by the United States Government, and which it might not be possible, consistent with a fair interpretation of treaty rights, to avoid; also, whether in the event of a reference to arbitration becoming, in the opinion of His Majesty's Government, necessary or desirable, this Government would agree to such reference and undertake to meet the expenses of arbitration and pay the award, if any."

In reply to these despatches, under date 5th September, this Government regretted to observe that their minute of the 15th ultimo, had been received by His Majesty's Government with much disappointment. They had hoped that the reasonableness of the position they set up and the argument adduced in support of the same would have found favour with His Majesty's Government. They could not conceive how their policy in respect of American fishermen visiting the coast of this Colony in quest of bait fishes, outlined in the Foreign Fishing Vessels Act of 1905, could have placed His Majesty's Government in any serious difficulty, for it involved no breach of any treaty obligation, neither did it interfere with any rights heretofore exercised by American citizens under the Treaty. The policy that they had adopted was intended to prevent the sale of bait fishes to American vessels by fishermen of this Colony, and to prevent said fishermen from assisting the crews of American vessels in catching such fishes; to enforce the revenue and customs laws so as to prevent smuggling; and to secure compliance with the Colonial fishery regulations that had been framed with a view to the protection and continuance of the fisheries. With regard to the prohibition of the sale of bait fishes to American vessels and of the capture of such fish by the fishermen of this Colony, when intended for sale to foreigners, this Government observed that the principles involved in such restrictions were approved by His Majesty's Government in 1887, when the Bait Act came into operation, and the principle had been carried into practice for many years against the subjects of France who visited the coasts of this Colony to engage in the fisheries, exception only being made in certain localities when it was made manifest to the Government that an injury would accrue to the fishermen of this Colony by a strict enforcement of the Act. The revenue and customs laws were ever enforced against American vessels entering the territorial waters of the Colony to engage in its fisheries up to last year, when for the first time the captains of American vessels objected to complying with these laws, and out of deference to the wish expressed by His Majesty's Ministers this Government abstained from enforcing them. Up to 1905, with but few exceptions, American vessels had conformed with our fishery regulations, and, as had been pointed out in a previous Minute of Council, the State Department at Washington by official instruments had enjoined on United States fishermen the duty of respecting these regulations. It was submitted, therefore, that there was nothing in the policy of this Government that was new or novel, or that should occasion difficulty or embarrassment to His Majesty's Government. This Government further pointed out that the Foreign Fishing Vessels Act, 1906, which was passed in order to meet the views of His Majesty's Government in respect to Sections 1 and 3 of the Act of 1905, as well as to enable the Government of this Colony to restrain the fishermen of this Colony from engaging themselves to Americans to catch bait fishes, would, by being brought into force by proclamation, remove that which appeared to be the principal, if not the only objection to the 1905 Act, and obviate the necessity of the proposed *Modus Vivendi*, the main provisions of which, as set forth in the despatch from the Secretary of State of the 3rd September, dealt with Sections 1 and 3 of the 1905 Act.

This Government further pointed out that the Colony had never exacted duties in respect of goods on board United States vessels necessary for the prosecution of the fishery and support of the fishermen during the voyages to and from the fishing ground, and neither was any such action contemplated. It was respectfully submitted that the extract from Lord Kimberley's speech in the House of Lords in 1891, justifying the *Modus Vivendi* with France, was scarcely applicable in the case under discussion. Lord Knutsford, in introducing that measure, and Lord Kimberley, in supporting the same, had set forth that it was impossible to avoid such legislation, "first and principally because it had been discovered that in fact there existed at the time no lawful mode of enforcing His Majesty's treaty obligations in Newfoundland," the Act which gave the necessary power having been allowed to lapse. Further, the right of British subjects to erect permanent structures on the Treaty Shore had been questioned. Great excitement and bad feeling had been aroused by the removal and destruction of such properties, and it was by reason of these circumstances that the *Modus Vivendi* of 1891 was regarded by both political parties in England as absolutely necessary. This Government pointed out that no such condition of things appertained in the case under discussion, the real questions at issue being (1) as to the right of the inhabitants of the United States to purchase bait fishes within the territorial jurisdiction of this Colony, and (2) as to the right to engage people of this Colony to procure such supplies for them. There was, in the case under discussion, no question of the lapse of Imperial authority to enforce treaty obligations, no question as to territorial rights, nor any excitement or bad feeling in connection with the conduct of the fishery, such as was held to warrant the *Modus Vivendi* of 1891. This Government assured His Majesty's Government that it was exceedingly anxious to assist the efforts of His Majesty's Government in obviating the difficulties and dangers they considered were to be apprehended in the course of the approaching autumn and winter fishery, and that having full knowledge of the local conditions which it was impossible for His Majesty's Government to possess, it was considered that such assistance could be best rendered if they were empowered to call into force the Foreign Fishing Vessels Act of 1906, which would convey to them the authority to deal with the fishermen of the Colony as they could not do under previous laws. The Government further intimated that if His Majesty's Government would consent to the Foreign Fishing Vessels Act of 1906 being proclaimed and decided that the Government of this Colony could be justly held liable for an arbitration which in the opinion of His Majesty's Government might be rendered necessary by the ambiguity of a treaty that this Colony is in no way responsible for, then the Committee of Council would consider the question of such liability, as well as that of any damages arising out of the ambiguity of the treaty and that might accrue from the enforcement of the Foreign Fishing Vessels Act of 1906.

In drafting this reply I did not fail to recognise that it must be admitted as a general principle that existing treaties ought to be strictly construed, and that this Colony would only have the right to apply for redress if we could establish that Americans had exercised privileges that the Treaty of 1818 does not justify.

Nothing further was heard from the Secretary of State for the Colonies until the 13th of September, when a cablegram was received by His Excellency the Governor informing him that the proposal of a *Modus Vivendi,* including the suspension of the Foreign Fishing Vessels Act of 1906 had been made to the United States Ambassador on the 3rd of September. To this communication the following reply was transmitted by cable the following day, viz.: "That the Government had learned with profound regret that without reference to this Colony His Majesty's Government had proposed to the United States Ambassador as one of the terms of the *Modus Vivendi* the suspension of the Foreign Fishing Vessels Act of 1906, which was only adopted after consultation with His Majesty's Government and with a view mainly to enable the Government of this Colony to deal with local fishermen and to secure the peaceable conduct of the fishery during the approaching autumn. They submitted that any arrangement embracing the suspension of that Act interfered with the internal affairs of the Colony, and would therefore be a violation of the pledge furnished by Lord Salisbury through the British Parliament on May 5th, 1891, during debate on the Newfoundland Fisheries Bill, to the effect that the Government of this Colony possessed unlimited power to deal with its internal affairs. They had hoped and expected that if a *Modus Vivendi* were proposed to the United States Government a full text of the same would have been submitted and thus have afforded an opportunity for suggestion or remonstrance. The reasonableness of this expectation, they also submitted, was warranted by the statement of Lord Salisbury in debate on the Newfoundland Fisheries Bill, April 28th, 1891, and they concluded by stating that the suspension of the Foreign Fishing Vessels Act of 1906 rendered them entirely powerless to carry out their fishery policy."

On the 19th of September a cablegram was received from the Secretary of State for the Colonies stating that the United States Ambassador had presented a memorandum on the subject of the *Modus Vivendi,* expressing appreciation of the readiness of His Majesty's Government to waive the Foreign Fishing Vessels Bill of 1906, and pointing out that this and other restrictive legislation had compelled American fishermen to use purse seines; acknowledging the cordial disposition evinced by the offer of His Majesty's Government not to apply the first part of Section 1 and the whole of Section 3, of the Act of 1905, stating that the Americans would gladly pay light dues if not hindered in their rights to fish, and were not unwilling to comply with Customs' regulations when physically possible to do so, but that it was sometimes physically impossible to break through ice for that purpose; that the United States Government were convinced that purse seines were no more injurious to common fishery than gill nets, and that the small amount of purse-seining could not materially affect the fishery for the season; besides, a number of American fishermen had already sailed with purse seines, and others had provided themselves with them; that the use of purse seines was not the free choice of American fishermen, but that they had been driven to it by local legislation. His Majesty's Government strongly urged the acceptance of this solution, intimating at the same time that they proposed to consent to the use of purse seines. In reply to this a cablegram was transmitted to the Secretary of State the following day that for reasons which had been fully set forth in previous despatches this Government regretted its inability to become consenting parties to the *Modus Vivendi* with the United States Government; that they entirely dissented from the views expressed by that Government in respect to the use of purse seines, and the effect of the same upon the herring fishery. This was followed the same day by a lengthy and comprehensive minute which dealt with the memorandum of the United States Ambassador communicated to the Foreign Office under date 11th July. This memorandum has not been published, nor has my reply thereto, and I am precluded from tabling the same.

The statement that it is sometimes impossible for American ships to break through the ice for the purpose of reporting at Customs is an absurdity, inasmuch as American vessels do not come upon this coast to engage in the fishery when the ice is upon the coast, and as a matter of fact, as soon as there is evidence of ice presenting an obstacle to their progress American vessels quit these shores.

The statement that purse seines are no more injurious than gill nets is equally preposterous, as is evidenced by the fact that their use by Americans in connection with the mackerel fishery is well known to have very seriously injured that fishery and their use upon the Canadian coast has been prohibited by the Dominion Parliament for years owing to their injurious effect upon the fisheries.

On the 29th of September, the Secretary of State intimated to His Excellency the Governor that His Majesty's Government were much disappointed by this reply, and felt that there was no alternative to the course indicated in his telegram of the 19th instant, and that the United States Ambassador was informed accordingly on the 25th September:—

> "That His Majesty's Government consent to the use of purse seines, and at the same time express the hope that recruiting just outside the territorial waters would not be resorted to this year."

On the same date a cablegram was forwarded from this Government to the Secretary of State, informing him that an American schooner had arrived at Bay of Islands equipped with purse seines and had declined to pay light dues, and requesting that this Government might be informed promptly as to the exact position of affairs, and whether they were free to enforce the Customs and Fishery Laws of this Colony against American fishermen. To this the reply was received under date 1st October, that—

> "An answer would be given as soon as possible."

On the 4th October a cablegram was forwarded to the Secretary of State by His Excellency the Governor advising him that this Government were anxiously awaiting a reply to their communication of the 29th ultimo, and in which they strongly deprecated any arrangement consenting to the use of purse seines by American fisheries and the engagement of Newfoundland fishermen to work for Americans in the conduct of the fisheries of the Colony, and they concluded by praying that His Majesty's Government would permit the proclaiming of Sections 6 and 7 of the Foreign Fishing Vessels Act of 1906. On the 6th of October the Secretary of State cabled that His Majesty's Government had concluded a *Modus Vivendi* with the United States Government, and that its terms were embodied in a Note from the United States Ambassador, as follows:—

"London, October 6, 1906.

("Mr. Whitelaw Reid to Sir Edward Grey.)

"Sir,

"I am authorized by my Government to ratify a *Modus Vivendi* in regard to the Newfoundland fishery question on the basis of the Foreign Office Memorandum, dated the 25th ultimo, in which you accept the arrangement set out in my memorandum of the 12th ultimo, and consent accordingly to the use of purse seines by American fishermen during the ensuing season, subject of course to due regard being paid in the use of such implements to other modes of fishery, which, as you state, is only intended to secure that there shall be the same spirit of give and take, and of respect for common rights between the users of purse seines and the users of stationary nets as would be expected to exist if both sets of fishermen employed the same gear.

"My Government understand by this that the use of purse seines by American fishermen is not to be interfered with, and the shipment of Newfoundlanders by American fishermen outside the three-mile limit is not to be made the basis of interference or to be penalized; at the same time they are glad to assure His Majesty's Government, should such shipments be found necessary, that they will be made far enough from the exact three-mile limit to avoid any reasonable doubt.

"On the other hand, it is also understood that our fishermen are to be advised by my Government, and to agree, not to fish on Sunday.

"It is further understood that His Majesty's Government will not bring into force the Newfoundland Foreign Fishing Vessels Act of 1906, which imposes upon American fishing vessels certain restrictions in addition to those imposed by the Act of 1905, and also that the provisions of the first part of Section 1 of the Act of 1905, as to boarding and bringing into port, and also the whole of Section 3 of the same Act, will not be regarded as applying to American fishing vessels.

"It also being understood that our fishermen will gladly pay light dues if they are not deprived of their rights to fish, and that our fishermen are not unwilling to comply with the provisions of the Colonial Customs Law as to reporting at a Custom House when physically possible to do so.

"I need not add that my Government are most anxious that the provisions of the *Modus Vivendi* should be made effective at the earliest possible moment. I am glad to be assured by you that this note will be considered as sufficient ratification of the *Modus Vivendi* on the part of my Government.

"I have, &c.,
Whitelaw Reid."

On the 11th this Government transmitted a despatch to the Secretary of State by cable in which they desired to record their regret that His Majesty's Government had seen fit to ignore their representations and entreaties and to conclude an arrangement which, they submitted, was subversive of the constitutional rights of the Colony and calculated to work severe injury to the fisheries of the Colony. They intimated that they had to regard with alarm the consent of His Majesty's Government to an arrangement which was apparently intended to override Statutes that had received the Royal assent, and they expressed the hope that the arrangement was not beyond reconsideration by His Majesty's Government and that by annulling the same the Colony might be saved from the humiliation and danger that threatened.

I desire it to be understood that when it was said that His Majesty's Government had ignored the representations and entreaties of this Government, we were not unmindful of the fact that His Majesty's Government had given the legal and constitutional position set up by this Government their careful attention, for it was with no small degree of gratification that they observed in the reply of His Majesty's Government to the note of the Secretary of State of the United States of date 19th of October, 1905, on the subject of the rights of fishery, that nearly every such position advanced by this Government had been concurred in by His Majesty's Government and contended for as both right and reasonable and in no way inconsistent with the terms of the treaty of 1818.

The representations and entreaties which were alleged in the Minute of Committee of Council of the 12th October last as having been ignored were,—

(*a*) That no *Modus Vivendi* was necessary in order to obviate the difficulties and dangers which His Majesty's Government considered were to be apprehended in the course of the autumn fishery. This opinion was based upon a complete knowledge of local conditions which it was absolutely impossible for His Majesty's Ministers to possess.

(*b*) Their representation that the only thing necessary to ensure harmonious conduct of the fishery was a Proclamation bringing into force the Foreign Fishing Vessels Act of 1906, enabling this Government to deal with local fishermen.

(*c*) Their guarantee in respect to the peaceable prosecution of the fishery if such proclamation issued.

(*d*) Their earnest protest against the use of purse seines, as instruments calculated to destroy the herring fishery on that coast to deprive the people there resident of a valuable maritime industry.

(*e*) Their earnest entreaty that His Majesty's Government would not concede to United States fishermen a right to hire local fishermen, in violation of the Statute law of the Colony.

It may be stated that Imperial or public expediency was a weighty factor and one that of necessity would be considered by His Majesty's Government. Imperial or public expediency under certain circumstances or conditions may be a weighty factor in dealing with public questions, but I am unable to admit that such expediency could form sufficient justification for the abrogation of Colonial Statutes which had received the Royal assent or for the inflicting upon a community any injury or loss without compensation.

If it were admitted for the sake of argument that from the standpoint of Imperial or public expediency His Majesty's Government had some abstract right in their favour, such right, in my opinion, could not be properly pleaded as a justification for the course adopted in the matter under review. There are rights which, in their exercises under certain circumstances, are the most odious of all wrongs, and the most vexatious of all injustice. In this instance we have to ask ourselves what were the circumstances under which this expediency arrangement was entered into?

(1) There had not been any breach of the peace committed by either American or Newfoundland fishermen.

(2) His Majesty's Government had received the most positive assurance from American fishermen themselves—in the form of affidavits made before a Justice of the Peace and of which His Majesty's Government was apprised by Minute of Council of date 15th of August last—as to "the friendly and generous disposition" displayed towards them in the year 1905 by the fishermen of this Colony.

(3) Nothing had occurred during the past year to change that relationship.

(4) The Government of this Colony had guaranteed the "peaceable conduct of the autumn fishery" provided His Majesty's Government did not interfere with them in enforcing the Statute Law of the Colony among the fishermen thereof.

It can hardly be seriously contended that in these circumstances there was anything to warrant an expediency arrangement such as the present *Modus Vivendi.* But, it may be answered, there were other circumstances appertaining, and they were—

(1) A demand from American fishermen to engage the people of this Colony to catch fish for them in defiance of a statute law which makes it a penal offence for local fishermen to "take, catch or haul, or to assist in taking, catching or hauling bait fishes, without a license."

(2) A demand from American fishermen that the people of this Colony engaged by them should use purse seines in the conduct of the fishery in defiance of the Statute Law of the Colony, which penalizes the use of such seines, and,

(3) The Government of this Colony had refused to be consenting parties to this proposed violation of the law.

It was under these circumstances, then, that His Majesty's Government decided to execute an instrument intended to override the decision of the Legislature of this Colony as well as the Statute Law of the Colony, and it is under such circumstances as these that the rights which Imperial or public expediency may be supposed to confer become the most odious of all wrongs and the most vexatious of all injustice.

Viewing the question from either a constitutional, legal or expediency standpoint, it is difficult to conceive how any justification can be found for such an unexampled proceeding. If, however, for Imperial or public reasons, which do not appear in the despatches, the demands of the United States Government, on behalf of the fishermen, had to be acceded to, then, I submit, justice required that the injury and loss about to be inflicted upon the people of this Colony should have been provided for by a measure of compensation that would equalize the tax imposed by the United States Government upon British fish entering American markets. Had this course been pursued this Colony would have been spared the painful humiliation to which it has been subjected, and His Majesty's Government much adverse criticism and no doubt embarrassment, for under such circumstances as these this Government would have felt themselves warranted in exercising the powers conveyed to them by Parliament and have limited the operation of the Bait Act for that season, so that it should not apply in the case of those local fishermen who might elect to engage themselves to fish for the Americans.

It has been exceedingly distasteful and painful to my colleagues and myself to oppose the action of His Majesty's Government, and it was only a firm belief in the truth of the maxim:—

"He serves the King best who directs his endeavours to the preservation of the rights and privileges of the King's subjects," that nerved us for the performance of the very unpleasant duty that developed upon us as Ministers of the Crown. We regard the *Modus Vivendi* as oppressive, as well as subversive of the constitutional rights of His Majesty's subjects in this Colony. For us, therefore, to passively bear with oppression committed within the radius of our jurisdiction would be, in truth and reason, for this Government to be an accomplice in the abuse.

We have to realize in the first place that the enforcement of the Bait Act against American fishermen, as it has been enforced against French fishermen, is required by the people of this Colony at the hands of their representatives. The matter of a change in the policy of the Government of this Colony towards American fishermen was submitted to the people at the polls in my Manifesto of 1904, and a mandate was received from the people to effect that change.

The law which we are required to enforce has been upon the Statute Book for nearly 20 years, and it was only relaxed for a time, in the case of Americans, because the Government of the United States of America had entered into a trade convention with His Majesty's Government, on behalf of this Colony, which provided for such relaxation and the ratification by the United States Senate of the said Convention. The United States Senate having failed to ratify the Convention the obligation on the part of this Government ceased, and the law alluded to became active.

While it was and is quite competent for the Government of this Colony to suspend or limit the operation of the Bait Act, or if sufficient and extraordinary reasons could be adduced for the Imperial Parliament to suspend the operation of the Act in defiance of this Government, I humbly and respectfully hold that no power of suspension, limitation or abrogation of this law, or of any law of this Colony which has received the Royal assent, is vested in His Majesty's Ministers, or even in the Crown itself, and therefore if the *Modus Vivendi* "pledges His Majesty's Government to the Government of a foreign power" in the matter of such suspension, limitation or abrogation, it is an illegality to which His Majesty's Ministers in this Colony cannot consent to become parties.

The Bill of Rights—"An Act declaring the Rights and Liberties of the Subject"—very clearly sets forth:—

> "That the pretended power of suspension of laws, or the execution of laws, by Royal authority without the consent of Parliament is illegal."

I can well believe that the proceedings upon which this Government have entered may prove very embarrassing to His Majesty's Government, but while I sincerely regret that any action of ours should occasion such embarrassment, or even contribute towards the same, I cannot conceive that it would have been consistent with our duty to abstain from what we regard as a proper course on that account. One fact is clear and indisputable. The embarrassment that is occasioned, or that will be occasioned, is not by reason of the wrong-doing of this Government. On the contrary, they have endeavoured to the utmost of their ability, consistent with their sense of duty to those they represent, to prevent it, by faithful representation; by humble and respectful protest; but they have failed. If His Majesty's Government have acted justly towards this people and within their powers then no embarrassment can possibly ensue from the action of this Government. If, on the other hand, they have acted unjustly, or if there are reasonable grounds for concluding that they have so acted, then I am confident that the House will agree that the course adopted by this Government was entirely proper. We entered upon this policy with no desire to embarrass His Majesty's Government, but with a firm resolve to assert the Colony's rights. I feel certain that it will be admitted as a general principle that treaties ought to be strictly construed and that the Colony has a right to apply for redress if it can be established that the Americans are exercising privileges which the Treaty of 1818 does not justify, and that no mere diplomatic agreement can give them; also, that when England has granted a Constitution her honour is as much concerned in the maintenance of the Constitution as in any other way. Both these questions are involved in the issue before us.

It will be noticed on reference to the papers that have been tabled that in his despatch of the 6th of October the Secretary of State expressed the desire that this Government would issue instructions to the fishermen on the Treaty coast to observe the *Modus Vivendi*. This Government did not give such instructions; neither did they promulgate the *Modus Vivendi* in any manner whatsoever. They did not do so because they had informed His Majesty's Government repeatedly that they could not be parties to it in any way. They declined to aid in carrying it out because they regarded it as unlawful and unjust; as an abrogation of our constitutional rights, and as overriding our law, and they proposed to test its validity in the Supreme Court of this Colony. On the 25th of October His Majesty's Government were advised accordingly.

The embarrassment occasioned this Government by the announcement of the conclusion of the *Modus Vivendi* was aggravated and greatly intensified by the remarkable conduct of the Senior Naval Officer on this station. H.M.S. "Brilliant" arrived at Bay of Islands on the 19th of October, and the same evening a meeting of the fishermen in Birchy Cove was convened on board that ship. At that meeting the Senior Naval Officer, Captain Anstruther, read to them the note of ratification of the *Modus Vivendi* and discussed an agreement that he proposed to bring about between the fishermen of the two nations. Subsequent to that meeting he visited the Canadian fishermen who were in the harbour, and afterwards Mr. Alexander, who was on board the United States Naval Tug "Potomac," as the representative of the American fishermen, and drew up a form of agreement to which he obtained the consent of "all the commodores of the American schooners." This agreement was made without consultation with the Governor of this Colony, who, as Commander-in-Chief, is his superior officer, or directly or indirectly with this Government. Under date 26th October, His Excellency the Governor communicated this fact to me, and I immediately entered a protest with His Excellency against the conduct of the Senior Naval Officer. I pointed out to His Excellency the seriousness of the incident that was referred to, inasmuch as no authority was vested in Captain Anstruther to make any agreement such as he had ventured upon. He had not merely undertaken to interpret laws and treaties, but had assumed to make an arrangement or international agreement, as appeared on reference to the copy of the agreement which accompanied His Excellency's communication. I pointed out further that even if this arrangement could be regarded as declaratory of what is undoubted law, it would still be objectionable and improper when issued by a Naval Officer in his capacity as such, and especially so when proclaimed in a harbour where a Stipendiary Magistrate resides. It would be exceedingly difficult to find any precedent for such a remarkable procedure. The ratification of the *Modus Vivendi* had just been announced to us by His Majesty's Government, it had just been promulgated by the Senior Naval Officer on this station, and no sooner was this done, than without reference to either the Governor or his Ministers a new agreement, or international treaty, or *Modus Vivendi*, was entered into between His Majesty's Senior Naval Officer on this station and the representative of the American fishermen at Bay of Islands. I pointed out to His Excellency the Governor that the agreement was invalid and incapable of enforcement, the Governor in Council, to whom under the law relating to Marine and Fisheries the Legislature had deposed authority, being the sole constitutional power to regulate and control the fisheries of this Colony. Naval Officers on this station derive all the authority they possess in relation to fishery matters in which American and Newfoundland fishermen are jointly concerned under the Imperial Statute of 1819, 59 George III., Cap. 38, and any Orders in Council made thereunder. Neither in that Statute, nor in any Order of which I am aware, are Naval Officers empowered to make such an agreement as Captain Anstruther enterprised, and which was intended to limit and control the fisheries of this Colony. There was no occurrence or sufficient ground to warrant the Naval Officer's action and adjudication, nor did it appear that there was any desire manifested by Americans to invoke his assistance in the maintenance of their treaty rights. The Senior Naval Officer could not have been unaware that his action was calculated to affect the policy of this Government, and to impair the Government's influence and that of the representative of justice at Bay of Islands, in the carrying out of law and order on that coast, and it is surprising, therefore, that he should have entered upon such a course of action. This unique piece of naval statecraft fell through, apparently because our astute American friends recognised, that it was incapable of enforcement. It might reasonably be supposed that the protest entered by this Government with His Majesty's Government against these proceedings would have prevented a repetition of such conduct, but such was not the case, for a few weeks later we find this same Naval Officer, without reference to His Excellency the Governor of this Colony or his Ministry, addressing a circular letter to American, Canadian and Newfoundland fishermen requesting suggestions from them "as to the best method of settling the fishery dispute between Newfoundland and the United States of America." By this conduct the Senior Naval Officer on this station again trenched upon the rights essential to the security of Colonial liberty and usurped functions that solely attach to responsible ministers of the Crown. It is difficult to conceive of a greater affront being offered to the Governor of this Colony or those who have the honour to be His Majesty's Ministers in this Colony.

The fishery for this season is now ended, and the wrongs that have been inflicted cannot now be remedied, but we can at least hope that the recital of them, the exposure of them, will prevent a repetition. What I have written I have written, and reviewing it in the cold black type of the papers that have been tabled I see no reason to regret one word of what has been recorded. In dealing with this question the Government did what they believed was right, and ventured to point out respectfully but firmly what the country desired. We did not cloak nor dissemble what we assumed it was for the interest of this people should be made plain. We set forth our views frankly and freely, feeling that many of the difficulties with which this Colony has had to contend in the past might be traced to a want of frankness.

In the correspondence that has been exchanged I have had the hearty co-operation and loyal sympathy and support of my executive colleagues. We have done everything possible to uphold the dignity and the honour and the rights of those who sent us to this House to represent them. We could not do more. I want it to be distinctly understood that the difficulty that has arisen has not been by reason of any attempt on the part of this Government to deny to Americans their full rights under treaty, for such an attempt has not been made. It has arisen out of the determination of this Government to enforce those laws within the jurisdiction of the Colony that have received the approval of the Crown, and also through His Majesty's Government allowing the Americans privileges not possessed under Treaty.

Am I to be told that under the Treaty of 1818 Americans are exempt from our local laws? If so, I deny it. I deny it upon the authority of those great American statesmen who fifty years ago gave it as an instruction to Americans exercising treaty rights on our coast that the laws of this Colony are as obligatory upon the citizens of the United States as upon our own people.

I deny it upon the authority of the late Sir John Thompson, statesman and lawyer, one of the ablest men that the Dominion of Canada has produced, who declared that, "the efforts made on the part of the Government of the United States to deny and refute the validity of Colonial Statutes on the subject of the fisheries have been continued for many years, but in every instance have been set at nought by the Imperial authorities and by the judicial tribunals."

I deny it upon the authority of the law officers of the Crown, Messrs. W. Atherton and Roundell Palmer, who, on the 16th of January, 1863, declared as follows:—

"That in our opinion inhabitants of the United States, fishing within waters in the territorial jurisdiction of the Legislature of Newfoundland, are bound to obey and are legally punishable for disregarding the laws and regulations of the fisheries enacted by or under the authority of the provincial Legislature. The plain object of the treaties above referred to was to put the inhabitants of the United States as regards the 'liberty to take fish' within the parts described of the British Dominions on the same footing as 'subjects of His Britannic

Majesty,' 'in common with whom,' under the terms of the Treaty, such liberty was to be enjoyed. The enactments subsequently passed would not confirm the treaties and provide for the suspension during the operation of those treaties of such laws, &c., as were or would be inconsistent with the terms and spirit of the treaty, which 'terms and spirit' are, it appears to us, in no respect violated by the regulations *bonâ fide* made by the Government for the conduct of the fishery and applicable to British subjects so employed."

I would also point out that by the Conventions of 1890 and 1902 it was provided that Americans should only be subject to our customs and revenue laws and to such regulations as governed our local fishermen. Therefore by necessary implication these treaties concede the right of this Colony to subject United States fishing vessels to our municipal law. If for reasons that do not appear to us it was necessary to give way to the demands of the American Government, then Ministers of the Crown in this Colony should have been fully and frankly apprised of this fact and have been invited to repeat what they did last year at the instance of His Majesty's Government, viz.: to refrain from enforcing the law. If we had declined to do this then it would have been within the competency of the Imperial Parliament, which is supreme throughout the Realm, on being satisfied of its necessity, to have suspended the law, but the course adopted by His Majesty's Ministers was most humiliating and unjust to the people of this Colony, as well as a menace to every Colony possessing Responsible Government. What we desire—what we expect—is a strict interpretation of the Treaty of 1818. No allusion is made in that treaty to the laws of nations as furnishing canons for its interpretation, and it has therefore to be inferred that its meaning is to be gathered alone from its context and the circumstances that attended its adoption. On a former occasion I have contended that the Treaty of 1818 did not grant to American fishermen the right to take fish in the harbours between Cape Ray and Quirpon Islands, and I see no reason whatever to change that view. On the contrary, the more closely I have studied this question the more convinced am I as to the correctness of the position. I submit that if the question is to be decided on the words of Article 1 of the Treaty of 1818 and without reference to what may be advanced as the conduct of the parties thereunder, and according to rules of construction which govern an English Court of Law in the interpretation of a contract, there is ample justification for the view that I have expressed, viz.: that the Article conveys no such right. There is a *primâ facie* presumption that the word "coast" is used throughout the Article in the same sense, and as, in the expression "coasts, bays, harbours and creeks," it obviously does not include "bays, harbours and creeks," it would follow that it does not include them when used in connection with Newfoundland. It may be observed that while the word is used in connection with Newfoundland in the singular, it is used in connection with the Labrador both in the singular and plural, and it is only as used in the plural that it is contrasted with "bays, harbours, and creeks." I am ready to admit that but for the difficulty arising from the expression "coasts, bays, harbours and creeks" a right to fish on the coast would *primâ facie* mean a right to fish on any part of the coast, including bays, harbours, &c., but it seems to me that the construction of the article evidences that there was abundant reason for inserting that expression, and I think that if the words of the article be taken by themselves the interpretation that I have placed upon them is free from doubt. It may possibly be held that the expression is ambiguous, and that when an ancient document is ambiguous the conduct of the parties thereunder must be referred to for the purpose of explaining the ambiguity, and that this principle is peculiarly applicable to treaties. Granting this to be correct, what has been the conduct of the parties? The conduct of the parties has been, that the Americans (1) have been accustomed to visit the bays, harbours and creeks of the West Coast to obtain cargoes of herring, not by the capture of such fish by the crews of their vessels, but by purchase; their vessels have never been manned with the necessary crews or equipped with the necessary appliances to enable them to catch fish, and they have ever relied upon Newfoundland fishermen to supply for cash such bait fishes as they required. (2) Newfoundland fishermen have at all times supplied American vessels visiting the "bays, harbours and creeks" for herring or other fish with the desired quantities for cash or barter.

If, then, I am correct in the opinion that the construction to be placed upon Article 1 of the Treaty of 1818 is that which I have advanced, provided that the words of the Article be taken by themselves, a reference to the conduct of the parties thereunder has only the effect of strengthening my position. Again, over 100 years prior to the Treaty of 1818, namely, in 1713, Great Britain had entered into a Treaty with France granting certain privileges of fishing upon the West or Treaty Coast of this Colony. Subsequently, in 1783, Great Britain entered into another treaty with France, known as the Treaty of Versailles, under which a change was made in respect to the localities in which the French might exercise a right of fishery, and in the declaration of His Britannic Majesty in respect to this Treaty of Versailles it was clearly stipulated that the French should not be interrupted in any manner by competition in the enjoyment of their fishery. The outer coast line referred to in the two treaties that I have mentioned is precisely that upon which fishing privileges were granted by His Britannic Majesty to the United States of America in 1818. But there is no question whatever but that the French exercised exclusive rights of fishery in many of the bays, harbours and creeks which form the inner coast line. Following upon the declaration of the Treaty of Versailles they entered into those bays, harbours and creeks and held possession of them to the exclusion of all parties up to two years ago, when they relinquished what they termed their rights for a consideration. Is it not probable that the Treaty of 1818 was worded as it is in order to avoid infringement of those French treaty rights and concessions?

May not this be the explanation of the distinction—so difficult otherwise to understand made between the South Coast, with the right to enter bays, harbours and creeks to dry fish, and the Western and Northern Coasts, with no such rights? Had it been otherwise, would not the framers of the Treaty of 1818 have included them together in one clause? They were unable to do this, it seems to me, because the British Government, having already contracted not to allow competition with the French on the Western and Northern Coasts by British subjects, had no power to allow it to the inhabitants of the United States. They could give the right of fishing on the open coast, but could not grant it in the bays, harbours and creeks where the French exercised their fishing, and where the fishery area being limited they would certainly have been interfering with the French, who claimed and exercised with the consent of the British Government a monopoly of the fishing therein. I have seen in one of the leading London reviews that an able writer has declared that but for a map which was put in by the Newfoundland Government, during the proceedings of the Halifax Conference in 1876, my reading of the Treaty might, perhaps, have stood. My answer to that is, that if the Treaty of 1818 was expressly worded so as to exclude the Americans from the bays, harbours and creeks of the West Coast, no implied admission by the Newfoundland Government at the Halifax Commission would have any effect, but the treaty would have to be rigidly construed in relation to the French rights. Viewed historically, it seems to me that the Americans were intentionally excluded from the bays, harbours and creeks of the West Coast, and that they never had any rights of fishing in either Bonne Bay, Bay of Islands, or Bay of St. George.

In order to discover what the rights of United States citizens, under the Treaty of 1818, are, it may be useful to have reference to anterior records. Before the Revolution the inhabitants of all the British Colonies in North America possessed, as a common right, the right of fishing on all the coasts in British North America. At the end of the Revolution and by the Treaty of Peace of 1783, which adjusted the boundaries between the Dominions of the two Powers, it was "agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Banks and on all the other Banks of Newfoundland; also in the Gulf of St. Lawrence, and at all other places in the sea where the inhabitants of both countries used at any time heretofore to fish, and also that the inhabitants of the United States shall have the liberty to take fish of every kind on such part of the Coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that Island), and also on the coasts, bays, harbours and creeks on all other of His Britannic Majesty's Dominions in America." (See Article 3.) From 1783 until the war of 1812, between the two countries, citizens of the United States continued to enjoy the rights secured to them by the Article which I have quoted. At the close of the war of 1812-15 the British Government took the position that in consequence of the war the fishery privileges granted to citizens of the United States, by Article 3 of the Treaty of 1783, had become abrogated and that the citizens of the United States had therefore no longer the right to fish in any of the British North American waters. This led to the conclusion of the Treaty of the 20th of October, 1818, Article 1 of which defines the present fishing privileges of the citizens of the United States in the waters of this Colony. The intent and meaning of that Article may be gathered from the instruction which issue to the American negotiators of it.

On the 20th of July, 1818, Mr. Adams, Secretary of State for the United States, instructed Mr. Rush and Mr. Gallatin, the American negotiators, as follows:—

> "The President authorises you to agree to an Article whereby the United States will desist from the liberty of fishing, and curing, and drying fish within the British jurisdiction generally, upon the condition that it shall be secured as a permanent right, not liable to be impaired by any future war, from Cape Ray to Rameau Islands and from Mount Joly on the Labrador Coast, through the Straits of Belle Isle, and indefinitely north along the coast; the right to extend as well to curing and drying the fish as to fishing."

This instruction, I submit, clearly sets forth the demand of the United States, and leaves no room whatever for doubt but that the Treaty of 1818 was intended to conform to it and to the principles involved in it. If this is admitted, then the construction that I have placed upon Article One of the Treaty is the correct one.

I have seen an attempt made to argue that the terms of the Washington Treaty and the Treaty of 1818 were identical, and that the contentions and admissions of the British Counsel acting on the Halifax Commission of 1877 must have an important bearing on the construction of the Treaty of 1818. I cannot conceive how any such view can be seriously put forward. The Treaty of Washington was negotiated and entered into in order to secure to the contracting parties privileges in excess of those enjoyed by virtue of the Treaty of 1818. The Halifax Commission was an international arbitration convened to decide whether the United States had received a greater benefit under the Washington Treaty than had Great Britain. The British had claimed a large money consideration for privileges which they alleged the United States had enjoyed under the Washington Treaty in excess of what the British had. All kinds of loose arguments could be and were used by Counsel on both sides, but surely it will not be seriously contended that the arguments of Counsel before the Halifax Commission can affect the interpretation of the Treaty of 1818. The lawyers engaged on that case were doing their best in the interests of their respective clients, and it is not improper or difficult to conclude that the respective Counsel would have argued right opposite to what they did if retained by the opposite side. The Treaty of 1818 was one which gave foreigners certain rights on British soil, rights which should be strictly construed, and no admission, or statement or argument used by Counsel on the Halifax Arbitration could, I submit, have the smallest bearing on the interpretation of the Treaty.

The Treaty of 1818 defines four territorial privileges given by Great Britain to American citizens, viz.:—

(1) The liberty to take fish of every kind on that part of the Southern Coast of Newfoundland which extends from Cape Ray to Ramea Islands.

(2) To take fish on the Western and Northern Coast of Newfoundland from Cape Ray to Quirpon Islands.

(3) To take fish of all kinds on the coasts, bays, harbours and creeks from Mount Joly on the Southern Coast of Labrador to and through the Straits of Belle Isle and thence northwardly and indefinitely along the coast.

(4) The liberty for ever to dry and cure fish in any of the unsettled bays, harbours and creeks on the southern part of the coast of Newfoundland above described, and on the coast of Labrador.

These words cannot be twisted nor turned into giving Americans the right to ship men, buy bait fishes, or trade in our waters. Such privileges were not included in the Treaty and therefore expressly prohibited.

However, this question did not come into the recent dispute, and I only refer to it at this time to express the hope that when the question of the rights of American fishermen under the Treaty of 1818 is being determined, due consideration may be given by His Majesty's Government to the point that I have raised.

The Treaty of 1818, we may suppose, was made in the interests of the Empire. It certainly was not made in the interests of this Colony. History records the severe criticism with which its terms were received at the time of its ratification. It was assailed with great force by the leading press of England, which declared that the Imperial maritime interests of the British Empire had been sacrificed to American greed. Remonstrances and denunciations poured in from all the Colonies concerned. A full account of the reception that attended its publication can be seen in Rush's work, entitled, "Residence at the Court of London." It will be remembered that Richard Rush was at that time American Minister to the Court of St. James, London, and consequently an eye-witness of all that happened in relation to the treaty, and therefore his account of its condemnation is all the more interesting. This Colony could only protest when its rights were sacrificed in 1818. It can only protest to-day, when, added to that sacrifice, is the humiliation of the *Modus Vivendi* that has arisen out of it.

Are our protests to be in vain? Is British justice only extended to those whose numerical strength gives force to their appeal? These questions are suggested by the declaration of certain influential English journals, which, while supporting the attitude of this Government in relation to the *Modus Vivendi*, declare that "federation with the Dominion of Canada seems the only way out of the difficulty." A great Dominion, they assert, if it "cannot dictate to the Mother Country, is not likely to go down before the requirements of a foreign power, for a foreign power is hardly likely to press humiliation on a great Dominion or to invite Great Britain to do this unpleasant work." What does this declaration mean? Does it mean that the treatment that has been meted out to this Colony was intended as a compelling force towards union with the Canadian Dominion, or does it mean that by attaching ourselves to the five million people of the Canadian Dominion we can force justice from the Mother Country? I should regret exceedingly to believe that either is the correct conclusion, for both positions are entirely non-British.

Why should this Colony be forced into a union that she considers would be incompatible? Why should she become absorbed if she prefers to retain her autonomy? If she takes a pride in her position as the oldest Colony in the realm, why should she be robbed of that pride? If she prefers to work out her own destiny under the genius of the Constitution, why should she be thwarted in so doing? Has Newfoundland shown herself to be unworthy of the Constitution she enjoys? If she has, then there might be some excuse for pressure being brought to bear upon her to relinquish it. But has she shown such unworthiness? It will not be difficult to prove the contrary. For centuries the people of this Colony have been handicapped by the operation of treaties along two thousand miles of her coast line—treaties made in the interests of the Empire—treaties that were oppressive at the time of their ratification, and that have become obsolete and doubly oppressive by reason of the altered circumstances of the times in which we live. The national bounties of France and the protective duties of America have placed Newfoundland in a most unfavourable position and subjected her to unfair competition. Hundreds of French vessels have come into our territorial waters and subjected our people to a species of competition in which the advantages were all on one side, yet in spite of this, the manner in which she has extended her fisheries, the hardy, independent race she has reared upon her coast, the value of her shipping and of her exports, speak volumes for the enterprise and industry of her people. Wonderful as has been Canada's progress, Newfoundland is now keeping step with her. In the past six years Canada's commerce has increased 25 per cent.; Newfoundland's commerce has shown an advance of 30 per cent. within the same period. During the same period Newfoundland has had a yearly surplus of revenue over expenditure aggregating $480,000. 28 per cent. of that surplus has gone into a reserve account to meet unforseen demands that may come upon the Treasury through the stress of bad times, and 72 per cent. of surplus has been returned to the people in additional grants for public works. During the same period the reduction of taxation has amounted to $670,000. I know of no Colony in the Empire that has displayed a more heroic policy in relation to railway enterprise, and I think I am correct in stating that, with the exception of Australia, the Government of this Colony has built and owns to-day more miles of railway according to population than any other part of the Empire. The credit of the Colony abroad stands as high as that of the most prosperous Colony of the Empire, and its securities are as eagerly sought after. From this brief summary I do not believe that it can be successfully contended that we have shown ourselves unworthy of such privileges as we enjoy under Responsible Government.

Again, if there be advocates for a coercive policy being applied to this Colony in respect to union with Canada, are they quite certain that the Government of the Dominion would take in an unwilling partner? I am quite certain that the present Government would not. Sir Wilfrid Laurier is far too able a statesman to admit within the circle of Canadian influence any element which would bring about discord. I also feel quite confident that if union ever takes place between this Colony and the Canadian Dominion it will have to be a marriage of the affections. To attempt to force this Colony into a union that she does not desire would be worse than useless. I do not believe that any such motive prompted the treatment of which we complain; neither do I believe that it is necessary for this Colony to enter into union with Canada in order to obtain justice from His Majesty's Government. I prefer to believe that that great diplomat and statesman, Lord Dufferin, voiced the sentiments of every man worthy to be called a British statesman, when, as Governor-General of Canada, he declared, in addressing the people of British Columbia.—

"Your numerical weakness as a community is your real strength, for it is a consideration that appeals to every honest heart. Far-distant be the day when an acre of soil over which floats the flag of England, mere material power, brute political preponderance, should be permitted to decide such a controversy as we are now discussing. Woe betide the Government or the statesman who, because its inhabitants are few in number and politically of small account, should disregard the issue or carelessly dismiss the representations, however bluff, boisterous or downright, of the feeblest of the distant Colonies."

The great British statesman who uttered these words of wisdom and warning is dead, but the measure of justice that he contended for, I rejoice to believe, still lives. The manner in which the great journals the Empire over have taken up our cause declares to this effect.

There have been a few newspapers on the other side of the Atlantic that have described our conflict with His Majesty's Government as "much ado about nothing." The writers of such articles surely could not have understood the seriousness of the situation. There are 55,000 men with their wives and children in this Colony whose daily bread depends upon the successful prosecution of the fisheries. The continuance of these fisheries depends upon the manner in which they are conducted, and therefore this Legislature has from time to time passed laws to prevent the pollution of the waters of the bays, harbours and coves around the coasts of this Colony and of the Labrador; to regulate the seasons during which certain fish may be caught, and to determine the instruments of capture that may be employed by the fishermen. Within the fishery areas of this Colony the Imperial Government has granted to the citizens of foreign nations (France and the United States of America) certain rights of fishing "in common" with British subjects. If the words "in common" meant anything, I submit they conveyed to foreigners the right to fish side by side with British fishermen within the prescribed areas set out in the treaty or grant, at the same seasons, with the same implements of capture, and subject to the same regulations. If this was not the meaning of the words then the foreign fishermen were free to destroy the fishery by polluting the waters, by using improper instruments of capture, and by fishing at all seasons of the year. We cannot conceive of a Government consisting of sane men granting rights to the subjects of a foreign power to destroy the living of its own subjects and the food supplies of millions of other human beings. Yet that is the contention of the United States Government, and in that contention His Majesty's Government has at least temporarily acquiesced by ratifying the *Modus Vivendi.* The American Government have contended that under the Treaty of 1818 they are not subject to our fishery and municipal laws, and by ratifying the *Modus Vivendi* His Majesty's Government has not only temporarily approved that assertion but has attempted to protect the citizens of the United States from the consequences of a violation of our laws. Let us follow this contention to its logical conclusion, and not only must we look forward to the destruction of our West Coast fishery, but to the Labrador fishery as well, and Americans have greater rights on the Labrador than they have on the West Coast of this Colony. Can any member of this House contemplate such a possibility without feelings of alarm? Can they regard the action of this Government in relation to the *Modus Vivendi* as "much ado about nothing"? Would any section of the British press regard things in that light if the inshore fisheries of Great Britain were to be invaded by foreign fishermen who set the statute laws at defiance? I think not. The laws of this land when approved by the Crown are the laws of the Empire. It should not be forgotten that England's honour is as much at stake in upholding those laws as if passed by the Imperial Parliament.

England in the past has had to look to the fisheries of this Colony as a nursery for her navy. Turn back to the record of the great naval struggles in which she conquered! Appeal to the heroes of that great naval warfare which laid the foundations of that great Colonial Empire which has brought to England during the present century both wealth and power! Ask them who were the companions of their victories! The answer will come back through the centuries that Newfoundland fishermen sealed the proudest of their victories with their blood. England is looking to this Colony for material for her Navy. Seven years ago an appeal was made to the young fishermen of Newfoundland to enter her Naval Reserve. The appeal was answered with enthusiasm. Hundreds of brave young fishermen have pledged their lives to the Empire, and hundreds more are willing to do so. Be it known that this is the only Colony of the Empire whose sons may be called upon by the Admiralty in time of war. I regret to learn that recently a large number of Reservists decline to re-enrol. I do not know the reason for their so doing, but I cannot imagine that the episode with which I have been dealing was calculated to inspire enthusiasm or to intensify the loyalty of the fisherfolk of Newfoundland.

It has been stated by His Majesty's Government, that the *Modus Vivendi* is for one season only—a period sufficiently long for the operation of such an unprecedented and humiliating agreement. I think, however, that after this House has given consideration to the papers which have been tabled and to the circumstances to which they relate, it will be regarded as necessary that this humble and respectful address to the Right Hon. the Secretary or State for the Colonies do pass, praying that if the rights of this Colony cannot be attained by diplomatic negotiation, then His Majesty's Government will proceed on a strict definition of the Treaty of 1818.

No. 59.

THE GOVERNOR TO THE SECRETARY OF STATE.

(Received March 9, 1907.)

[*Answered by No.* 118.]

MY LORD, Government House, St. John's, February 27, 1907.

WITH reference to my despatch of the 23rd instant,* I have the honour to transmit herewith the original address, on parchment, that has been passed by the Legislative Council and House of Assembly to the Right Honourable His Majesty's Principal Secretary of State for the Colonies on the subject of the *modus vivendi* recently entered into between His Majesty's Government and the Government of the United States of America.

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* No. 54.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 59.

ADDRESS.

To the Right Honourable
His Majesty's Principal Secretary
of State for the Colonies,

WE, His Majesty's loyal subjects, the Legislative Council and the House of Assembly of Newfoundland, in session convened, have had under consideration the subject of the *Modus Vivendi* entered into between His Majesty's Government and the Government of the United States of America, in relation to the prosecution of the herring fishery on the West Coast of this Colony during the past season, and also a copy of the correspondence in relation to the same which was presented to the British Parliament.

We had not contemplated the possibility of successful opposition to our views in respect to the enforcement of the Act passed in 1887 to control the sale of bait fishes to foreigners, and the Foreign Fishing Vessels' Acts passed in the sessions of 1905 and 1906 for the more effective carrying out of the said policy.

The circumstances which called for the legislation of 1887, above referred to, were exhaustively dealt with by Sir George W. DesVœux, a former Governor of this Colony, in a despatch to the Colonial Office bearing date January 14th, 1887. The reasons he therein advanced in support of the measure and its enforcement against American and other fishermen are as cogent to-day as when they led to its approval by His Majesty's Government, and we could not have anticipated anything but the cordial sympathy of His Majesty's Government in our endeavour to guard the integrity of the Colony's trade and the well-being of its population.

It was therefore with feelings of disappointment and alarm that we learned that His Majesty's Government had entered into a *Modus Vivendi* with the Government of the United States of America intended to set aside the Act of 1887 in its application to American fishermen, as well as those Acts before mentioned which were adopted by the Legislature in order to secure the better enforcement of that law.

When we learned from your despatches that this *Modus Vivendi* was entered into despite the respectful and earnest protest of the Government of this Colony; that British interests were made subservient to the purposes of foreigners, and that our rights under the Constitution were ignored, those feelings awakened by the terms of the agreement were intensified, and we cannot but express our deep sense of the injustice to which our people were called upon to submit.

Your despatches set forth that the *Modus Vivendi* was found to be necessary in order to avoid a position that, in the opinion of His Majesty's Government, might become "highly undesirable and even dangerous." We find ourselves unable to concur in this view:—

First.—Because the Government of this Colony had, during the fishing season of 1905, at the instance of His Majesty's Government, and in consideration of the negotiations then proceeding in relation to questions at issue between the Government of this Colony and that of the United States of America, abstained from taking any action calculated to embarrass the relations between His Majesty's Government and the Government of the United States of America, and there is no reason to suppose that this policy would not have been continued had His Majesty's Government signified a desire for it;

Second.—Because the Government of this Colony had guaranteed to preserve the peace and not enforce the 1906 Act against American fishermen, provided His Majesty's Government would authorise a Proclamation bringing it into force. This course would have repealed the Sections of the 1905 Act that had been objected to by the United States Government, obviating the suspension of those Statutes by His Majesty's Ministers, which was unprecedented and unconstitutional, and at the same time have enabled the Government of this Colony to deal effectively with British fishermen;

Third.—Because the ratification of the *Modus Vivendi* involved an infringement of the Constitution of this Colony unwarranted by any conditions existent in the Colony, or, so far as the despatches which have been tabled indicate, by any Imperial interests;

Fourth.—Because the *Modus Vivendi* conferred privileges upon American citizens in excess of those granted under the Treaty of 1818; in excess of those enjoyed by British subjects in this Colony, and was, we respectfully submit, in violation of the pledge conveyed to this Colony by His Majesty's Government in 1857, that:

> "The consent of the community of Newfoundland would be regarded by His Majesty's Government as the essential preliminary to any modification of their territorial or maritime rights."

It appears from your despatches that the *Modus Vivendi* was for one season only, and that His Majesty's Government contemplates the settlement of all questions arising out of the Treaty of 1818 during the current year. We therefore humbly pray that if a recognition of the rights of this Colony cannot be obtained by diplomatic negotiations, then His Majesty's Government will proceed on a strict interpretation of the Treaty of 1818 .

Passed the House of Assembly,
February 14, 1907.

F. J. Morris,
Speaker.

Passed the Legislative Council,
February 20, 1907,

G. D. Shea,
President.

No. 60.

The GOVERNOR to the SECRETARY OF STATE.

(Received March 25, 1907.)

My Lord. Government House, St. John's, March 4, 1907.

I have the honour to enclose, for your information, an extract from "The Evening Telegram" of this city, of the issue of the 2nd instant, containing a remarkable letter from His Grace Archbishop Howley, in which that prelate seems to advise that Newfoundland should regard the 1818 Treaty between Great Britain and the United States as no longer binding; and that "England must be asked to relieve us of this burdensome Treaty as she did that of the French. Let her settle it as she may with America."

His Grace, it will be observed, seems to be under the impression that the Treaty expires by effluxion of time, for he says "Britain dare not renew the Treaty of 1818 without running the risk of the disruption of the Empire. The sooner Americans recognise and take heed of this great fact the better."

2. I need hardly say that such language from such a source in a community where every fourth man cannot read, is ill calculated to facilitate the settlement of the questions now pending in this connection.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 60.

Extract from "Evening Telegram," St. John's, Newfoundland, March 2, 1907.

No More Modus Vivendi.

Editor, "Evening Telegram."

Mr. Editor,

I have read the lengthy and lucid debate on the question of the *Modus Vivendi*. It is not to express any opinion on the debate that I now write. On that point I will merely say that in my humble judgment it is a splendid display of Parliamentary eloquence and argumentation, and I think it would do credit to any Colonial Parliament of the Empire.

My object now, however, is to broach a new idea. It may be thought that nothing is left to be said on the main question. Yet it seems to me there is something yet to be said.

Throughout the whole debate the assumption was accepted as an axiom or a postulate that there *is* to be a *Modus Vivendi*, or a Treaty between us and the United States. That the Americans *are* to have Treaty rights on our shore for all time to come.

Why should this be so? I maintain that it should *not* be so. That their Treaty rights must be ended as the French rights were.

Of what use was it for us to fight for two centuries in order to shake off the incubus of the French rights if we are to be encumbered for all time with the American rights?

We don't want to have an American shore no more than we did a French shore. We want a Newfoundland shore only in this island home of ours!

This may be thought wild and impracticable language. Why so? What is there more sacred and indissoluble about the Treaty of 1818 than about the Treaty of Versailles, 1783? The difference in their ages is not so great. Both smell of the musty past. Both are out of date. If the Treaty of Utrecht had become so obsolete by the lapse of time that the British Government had at last to wipe it off the slate, why should not the same doctrine apply to the American Treaty of 1818?

England must be asked to relieve us of this burdensome Treaty as she did that of the French. Let her settle it as she may with America. Let her give whatever compensation is deemed just, and then we ourselves will deal with the Americans. It is preposterous that we should be bound down by Treaties made a hundred years ago, and which do not suit present circumstances.

I read recently in a very influential and representative American newspaper, "The New York Times," an article from which I extract the following sentiments:—

"Americans, who strive to keep an open mind, and to deal with the question upon which they cannot help forming an opinion, *solely upon its merits*. . . . . Of what avail to recite to such Americans the history of" (an ancient Treaty). "Every man, woman and child whose interests were affected by that instrument has long since mouldered into dust; since the dispute began. . . . . The terrible Mortmain, the weight of the dead hand was always to hang over the land. . . . . Is that the kind of appeal" (to ancient Treaties) "that can be made with success to Americans? . . . . Is it the kind of appeal that can be successfully addressed to a generation which has seen?" &c., &c., &c.

"To such a plea the Americans will make answer that in spite of all musty parchments and obsolete formularies, the earth belongs to the living and not to the dead, and that it is vain to plead the *wording of old compromises* against the lights of humanity of to-day." Bravo! Noble words; worthy of a great enlightened nation. We accept every one of them. Of course the minor circumstances that these high and noble sentiments were expressed, not against the Newfoundland fishermen, but the old and decrepit *fisherman of the Vatican*, does not affect the great national and patriotic principle above enunciated. The trifling difference that the Treaty alluded to in the above extract was not that of 1818, but one a little older, namely, 1801. The *Concordat* was a very solemn Treaty entered into between France and the Pope. It had all the elements of a great International Treaty; but why should such an antiquated document stand in the way of the great march of civilization of the twentieth century? Just so. Now to apply the principle to the Treaty of 1818, I maintain that it should be abolished, and with all respect, I submit that this is the demand our delegates should make at the next Colonial Conference. England should pay a reasonable compensation, as she did in the case of France. The Americans will not be in any worse position by allowing this degrading yoke to be lifted from our shoulders. On the contrary they will be better off. In the first place they will have the money payment to be made as compensation.

Secondly.—Our local Government will be more cordially disposed towards them, and less inclined to enforce local laws in a vexatious way against them; and

Thirdly.—It is impossible to conceive any outcome of negotiations, or future Treaty which will grant to the Americans any more favourable terms than we, the Government of Newfoundland, would be prepared to grant them, if not coerced with this badge of slavery—a Treaty imposed upon us by England.

The sentiment is growing fast throughout the Empire, that Britain must no longer impose Treaties on her unwilling Colonies, and she dare not renew the Treaty of 1818 without running the risk of the disruption of the Empire. The sooner Americans recognise and take heed of this great fact the better.

Newfoundland is in the near future about to become a most important link in the great chain of commerce and travel which will gird the globe. That portion of our shore now bound in the manacles of this *effete* Treaty plays a prominent part in this great scheme of civilization and progress. It must be *freed*. We must shake off the shackles of foreign domination. It must be no longer the American Treaty Shore. We want no outside nation to crush the heel of hard Treaty rights upon the fair face of the noble and most beautiful province of our country. In a word, there must in future be no place around our seagirt isle which we cannot, in all the fulness of right and dominion, call the Newfoundland shore.

I remain, &c.,
M. F. Howley.

No. 61.

The GOVERNOR to the SECRETARY OF STATE.

(Received April 13, 1907.)

(Extract.)

Government House, St. John's, April 2, 1907.

I have the honour to transmit, for your information, the text of a Resolution passed by a public meeting convened at Bay of Islands on the 26th ultimo, which has been forwarded to me signed by the chairman and secretary of the meeting.

As the resolution was not signed by the individual members present, it is, of course, not easy without further information to determine what part or proportion of the population of the Bay of Islands district may be in agreement with the views expressed in the Resolution and may be in accord with the request conveyed in the last paragraph, which prays "that His Majesty in Council will be pleased to take such action as will enable us to enjoy our fishery as we enjoyed same prior to the legislation of 1905 and 1906."

I have furnished my Ministers with a copy of the Resolution, and have invited them to offer for your consideration any comments thereon which they may desire to have placed before Your Lordship.

The Attorney-General has, on my request for information in regard to the circumstance and formation of this meeting, sent me a letter, copy enclosed, covering a communication, dated 27th March, which he has received from Mr. March, Stipendiary at Bay of Islands.

I enclose also a copy of a telegram addressed by Mr. March on the 30th ultimo to the Minister of Justice, from which it would appear that some four score men attended the meeting.

I enclose a cutting from the "Daily News" of St. John's, of this day's date, in which it is stated that there was only one dissentient voice at the meeting, and that the fishermen are hopeful that their memorial will result in a redress of their grievance. It has to be remembered that the "Daily News" is the organ of the Opposition.

I have, &c.,
WM. MACGREGOR.

P.S.—Since writing the above I have been informed that Ministers do not wish to offer any comments on the Resolutions.—W. McG.

Enclosure 1 in No. 61.

"THE WESTERN STAR," Bay of Islands, March 27, 1907.

MONSTER MASS MEETING OF FISHERMEN AND CITIZENS.

A mass meeting of fishermen and citizens was held last evening in the Church of England Hall, when the subjoined resolution and address were unanimously adopted. The chair was occupied by Mr. Thos. Perrott, a worthy representative of the bone and sinew of the country. He explained the object of the meeting, and pointed out the great injustice that had been done the fishing interests of the country by the introduction of Sir Robert Bond's fishing policy. The secretary, Mr. J. A. Barrett, then addressed the meeting, and proposed the resolution and address, which Mr. J. H. Baggs ably seconded. Other speakers took the floor, and freely expressed themselves on the fishery question, and clearly showed their indignation over the action of the Bond Government in enforcing such stringent regulations on the fishermen. Here is the resolution, and also the address:—

Whereas we, the people of Bay of Islands, view with alarm the policy of the Government of this Colony regarding our herring fishery; and

Whereas, in the interests of our families, we feel that it becomes necessary for us to protest against said policy, and to appeal to our Gracious Majesty the King for protection and preservation; be it therefore

Resolved, that the annexed address to His Excellency the Governor is a correct and true expression of our feelings on this matter; and that our chairman and secretary sign same on behalf of this meeting, and forward same, together with this resolution, to His Excellency, with a respectful request that he give the same his consideration:—

To His Excellency Sir WILLIAM MACGREGOR, M.D., K.C.M.G., Governor of Newfoundland, &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,

ON behalf of the fishermen and residents of the West Coast, especially those of Bay of Islands, Your Excellency's consideration is respectfully craved to the following:—

For many years past the principal support of the people of this bay has been obtained from the prosecution of the herring fishery in this neighbourhood, and from the industries incidental to said fishery.

About the latter part of October in each year, the herring usually strike in some one or more of the deep arms of Bay of Islands, and for the three months following, the residents of the bay, and many others from other parts of the Colony, are busily engaged in catching and curing the same.

In the past a ready market has been found for this catch by selling to American schooners, which have come down to the coast at this season, and purchased our herring for cash, and at rates satisfactory to our people.

Without this American market, the fishery would be of little or no benefit to us, as the demand for the fish in other directions, on the same or as good terms, is comparatively nothing.

In 1905 the Government of Newfoundland enacted, and enforced, a law which prohibited us from selling our catch to the Americans, and further prohibited us from shipping as fishing crews to American fishing schooners in Newfoundland ports. This Act forced us to go outside Newfoundland waters to ship as fishermen on United States vessels during the seasons of 1905 and 1906.

In some cases our fishermen went to parts of Nova Scotia, and there joined the American vessels. In other cases, by far the most numerous, our men proceeded in small fishing boats outside the waters of the Colony, and joined the American vessels on the high seas.

This latter course was fraught with great danger, the weather at this season is very tempestuous; the outer coasts of Bay of Islands consist of bleak cliffs; the fishing boats are frail and without decks. Fortunately no fatalities attended this mode of proceeding; but many a life was jeopardised during the season by reason of the necessity which forced us to put to sea to join our employers.

In 1906 the Newfoundland Government further enacted an absolute prohibition of our shipping on any foreign fishing vessel; but thanks to the action of the Imperial Government in withholding assent to same, this Act did not become law.

During the past season, our fishermen proceeded outside the three-mile limit and shipped to the Americans, as in 1905. Many hundreds of our fishermen shipped on *bonâ fide* American vessels in 1906, and a large number shipped on so-called Canadian vessels. These latter were vessels that flew the British flag and carried a Canadian register; but a great many were chartered to and fishing for Americans.

During the prosecution of the past season's fishery an attempt was made by the Newfoundland Government to interfere with our operations. The so-called Bait Act, Chapter 129, of the Consolidated Statutes of Newfoundland (second series), was brought into force, and two fishermen, residents of Wood's Island, Bay of Islands, were cited before the Magistrate, at Bay of Islands, charged with putting herring on board an American vessel contrary to the provisions of the said Bait Act. After hearing the evidence, &c., the Magistrate convicted the defendants of a breach of the Act, and fined them $500 each, or three months' imprisonment. The matter has been carried to the Supreme Court of Newfoundland on appeal, and is still undisposed of.

In the meantime, official statements have been made in the House of Assembly; and elsewhere to the effect that the majority of the people of this coast are in favour of the policy of the Newfoundland Government.

We beg to state most emphatically that the people of this coast are unanimous in condemning this policy as one which is injurious to the best interests of the Colony as a whole, and ruinous to the livelihood of the people of this Western Coast.

For the reasons, therefore, that (A) the American market is the only adequate market available to us in which to dispose of our herring; (B) no substitute sufficient and immediate is provided for this market, and without it we shall be compelled to abandon our fishery and take our families elsewhere to seek a living; and (C) the policy of the Newfoundland Government is, in our opinion, contrary to natural justice to the best interests of the Colony.

We respectfully pray Your Excellency to submit this statement to His Majesty in Council through the proper channels; and we further pray that His Majesty in Council will be pleased to take such action as will enable us to enjoy our fishery as we enjoyed same prior to the legislation of 1905 and 1906.

Enclosure 2 in No. 61.

Attorney-General's Office, St. John's,
Newfoundland, April 1, 1907.

Dear Sir William,

The enclosed report from the Magistrate has just come to hand in relation to the recent meeting at Bay of Islands. As you had not a copy of the "Western Star" when I was speaking to you this morning I enclose you a copy, with the report of the meeting referred to.

I also enclose you telegram of date March 30th.

Yours, &c.,
E. P. Morris.

His Excellency
Sir Wm. MacGregor, K.C.M.G., C.B.,
Governor.

Sir,

Magistrate's Office, Bay of Islands, March 27, 1907.

I have the honour to communicate the outcome of the public meeting held last night; the resolutions will appear in the "Western Star." D. M. Bartlett was there. He informed me that there was much confusion, and not half the people there were in favour of the said resolutions, and stated they would not sign any memorial. Thus you see they were afraid to canvas for signatures. Mr. Angwin was there, and made a good speech, and asked them if they meant business to see who would sign. This they refused to do. It was gotten up by Editor Barrett, James Barry, a naturalized American, and a few others, at the request of Mott, so it is said; Angwin told them it was better to let the Government fight it out with the Home Authorities. Their conduct was calculated to do more harm than good, and encouraging the Americans to ruin their herring fishery, which they would find in days to come were or would be little enough for themselves. In my opinion if the Government canvassed the whole of the West Coast, they would find a very large majority in favour of their action. From these remarks the editor of the "Herald" will be able to give a good set-off against what may be said by the "News" on the matter.

I have, &c.,
L. March,
Justice of the Peace.

Hon. Sir Edward P. Morris,
His Majesty's Attorney-General,
St. John's.

Enclosure 3 in No. 61.

Telegram.

To Sir E. P. Morris,
Minister of Justice.

Birchy Cove, Bay of Islands, March 30, 1907.

Mass meeting reported numbered 80 persons. Three spoke in favour of resolutions, two opposed. The latter received the greatest applause.

L. March.

Enclosure 4 in No. 61.

Extract from "Daily News," St. John's, Newfoundland, April 2, 1907.

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From letters received by Sunday's express, we learn that the meeting at Bay of Islands was largely attended. Mr. Angwin dissented somewhat from the resolutions, but did not carry his opposition to the vote. His was the only dissentient voice. The fishermen are hopeful that their memorial will result in a redress of their grievances.

No. 62.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.6 p.m., April 23, 1907.)

Telegram.

I have received from the inhabitants of Bonne Bay, resolution passed by public meeting. Inhabitants appeal to His Majesty the King for his protection and preservation, resolution being the same as that adopted by Bay of Islands. Please inform Prime Minister—MACGREGOR.

No. 63.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received April 27, 1907.)

MY LORD, Government House, St. John's, April 4, 1907.

WITH reference to my despatch of the 2nd instant,* I have the honour to enclose, for your information, copy of the leading article in the "Daily News" of St. John's, of this day's date, which represents that the resolution adopted by the public meeting that took place at Bay of Islands on the 26th ultimo was well attended, and that the resolution was adopted with practical unanimity, and expresses the deliberate opinion of the community. I have at present no other means of verifying these statements.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 63.

"THE DAILY NEWS," St. John's, April 4, 1907.

THE BAY OF ISLANDS PROTEST.

THE controversy over the herring fishery is inseparable from the welfare of the people of Bay of Islands.

To members of the Legislature and residents of the city, the question is more or less an academic one, whilst to the fishermen who engage in the Labrador and Bank fisheries, the participation or otherwise of the Americans in the herring fishery does not immediately appeal.

If we are to get down to the kernel of the controversy, we must get the opinion and wishes of the people most directly interested, and it is this fact which makes the public meeting, which was held at Bay of Islands, last week, one of extraordinary importance.

Sometimes public meetings are engineered by political parties for party purposes. Not so with the meeting held on Tuesday.

It was the spontaneous and unbiassed expression of public opinion. That such a meeting was to be held was not, so far as we can ascertain, known outside of Bay of Islands, then enduring the rigours of a snow blockade; indeed, the first intimation received by politicians of either side, or by the public generally, was the publication of the Resolutions in Thursday's issue of the "News."

Sir Robert Bond stated in the House of Assembly that two-thirds of Bay of Islands favoured his policy. The statement was so ridiculous as to be scarcely worthy of serious contradiction, but if contradiction is necessary, Tuesday's meeting gives it in emphatic and uncompromising tones.

The meeting itself was well attended, and the speakers were amongst the leading citizens of the community.

The chairman was a typical fisherman, and there was absolutely no opposition to the adoption of the Resolutions and Address.

Only one dissenting voice was heard, and that belonged not to a fisherman, but to a gentleman whose sympathies would naturally lean towards his Canadian fellow-countrymen who, by the exclusion of the Americans, would be benefitted at the expense of Newfoundland.

The practical unanimity of sentiment was no matter of surprise, inasmuch as from those who have been on the spot and who have discussed the Government's policy with residents and fishermen during the fall and the winter, there has come only one answer,—"The fishermen are as a unit in their opposition to the policy of the Government."

Of course, an occasional voice of a rank partisan may be heard, anxious to defend the Government's policy at any cost, but it is not the interests of the herring fishery but control of Government expenditures, which prompts the utterance.

It is significant of the widespread unpopularity of the policy that every one of the speakers, on Tuesday night, with one exception, was an active supporter of the Bond administration at the General Election, and for all we know, this question excepted, may be so still.

The more the policy of the Government is considered in connection with this matter, the more extraordinary their attitude appears.

Sir Robert Bond has no intention whatever of driving the Americans away from our fisheries. His sole object is to use them as a bludgeon to compel acquiescence in the policy outlined by the Bond-Hay Treaty, a policy, at its best, of questionable advantage.

Let that policy once be assented to and, instead of the Americans being excluded, Sir Robert Bond will open the gates of all our harbours and give free bait and free entry to every part of the island.

There was a very simple way of dealing with this matter, one which was urged long ago, and one which would certainly have been adopted if there was any sincerity in the Government's action and policy.

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* No. 61.

If a duty were placed on all herring exported from Newfoundland, corresponding to the amount of duty placed on herring imported into the States, despite the difficulties that might hedge around the collection, an equitable arrangement would surely eventuate, and not at the expense of the independence of Newfoundland or the rights of her fishermen.

Sir Robert Bond's Government claim that their policy is on the principle of the greatest number, principle of the greatest good to the greatest number. Whilst we do not admit the justice of the claim, we accept it for the sake of argument.

If the greatest good for the greatest number demands the sacrifice of the fishermen of Bay of Islands in the interests of the Colony, then, to carry out Sir Robert Bond's own argument, there is justice in the sacrifice of the Colony in the interests of the Empire, on the same principle of the greatest good for the greatest number.

The Government have thus adopted an unsound and dangerous argument, and one that is already coming back against them with terrible force.

The article which we published the other day from the "Birmingham Daily Post," the great Chamberlain organ, and one of the papers which Sir Robert Bond has recently been eulogizing in the House, is an illustration of the real feeling which exists amongst the British Press.

Through this anti-American policy we have been placed in a position which is humiliating to all concerned.

It is humiliating to our fishermen, as it has transformed them from a position of independence to a position of servitude, and alleged illegal servitude at that.

It is humiliating to Newfoundland, because it places us in the position of the frog in the fable, or of the dog who idly bayed at the moon.

It is humiliating to the United States, because rights that have been unchallenged for generations have been wantonly disputed and relationships, mutually satisfactory, have been rent asunder.

It is humiliating to the Empire, because it is subversive to its dignity, and at the same time endangers the peace of the world; and this for an injury to those most interested, and a very questionable advantage to Newfoundlanders at the best.

The only ones that will really benefit by the whole business are the Canadians. They are sharp enough to see this, and are already availing of their advantages.

Possibly a few troublesome politicians may also benefit. Grand crosses, knighthoods, and decorations sometimes have a soporific effect in sharp contrast to the activity with which they are sought after.

No. 64.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received April 27, 1907.)

[*Acknowledged by No.* 74.]

MY LORD, Government House, St. John's, April 17, 1907.

I HAVE the honour to enclose, for your information, an extract from the "Daily News" of St. John's, of this day's date, in which is discussed the adoption by the fishermen of Bonne Bay of the Resolution recently transmitted to me from Bay of Islands, and forwarded in my despatch of the 2nd instant.*

2. The Resolution from Bonne Bay has not yet reached my hands.

I have, &c.,
W. MACGREGOR.

Enclosure in No. 64.

EXTRACT FROM "DAILY NEWS," ST. JOHN'S, NEWFOUNDLAND, April 17, 1907.

BONNE BAY PROTESTS.

A message published in Monday's "News," stated that a public meeting of the fishermen of Bonne Bay had unanimously adopted resolutions of protest against the herring fishery policy of the Government.

This is a practical endorsement of the recent decision of the people of Bay of Islands, who spoke with no uncertain sound some days ago.

Do we properly appreciate the terrible seriousness of this business to the people of the North-west Coast? Their whole livelihood is at stake. With the Americans excluded they have, at present, nowhere else to look.

There are many who believe that the Canadians will fill the breach, but all that the Canadians have done so far is to charter their vessels or sell their cargoes to the Gloucester combine—they have found no new markets.

Others believe that our own merchants will take the business up. We trust they may; but if they will not do it with a promised bounty, what hope is there of them doing it at all?

If ever the Americans are effectually excluded, it may be that the West Coast merchants who engage in the Bank fishery will come to the front; but before killing the goose that laid the golden egg the substitute or successor should have been found.

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* No. 61.

The agitations and protests at Bay of Islands and Bonne Bay are the spontaneous expressions of popular feeling. It is the voice of the breadwinner demanding that he be not robbed of the means of earning bread for his loved ones.

In St. John's we may discuss the matter academically, dilate upon constitutional privileges and disabilities, and talk learnedly or gaseously of treaties and international laws. On the West Coast the fishermen have neither time nor inclination for these things. They see their livelihood imperilled, their prosperity, nay, their very independence at stake, and have, therefore, carried their appeal direct to the fountain head of authority.

No. 65.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 7.55 a.m., May 8, 1907.)

TELEGRAM.

Judgment delivered to-day by Judges Horwood and Johnson in case of Crane and Dubois, appellants, O'Reilly, defendant. Conviction by magistrate affirmed with costs against appellants. Attorney-General reports that decision in no way involves an interpretation of Treaty or *Modus Vivendi*, but proceeds entirely on lines of violation of Bait Act.—MACGREGOR.

No. 66.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.35 p.m., May 8, 1907.)

TELEGRAM.

Am informed by Attorney-General that he does not intend to enter any further prosecutions against fishermen in position of Dubois and Crane on account of last season transactions.—MACGREGOR.

No. 67.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received May 17, 1907.)

[*Acknowledged by No.* 74.]

MY LORD, Government House, St. John's, April 19, 1907.

I HAVE the honour to transmit, for your information, extracts from "The Western Star," of the 24th October last, of the 27th March,* and of April 3rd.

"The Western Star" is printed and published in Bay of Islands.

The extracts have reference to the question of the *modus vivendi* in respect of the herring fishery on the west coast of this Island.

I have, &c.,
WM. MACGREGOR.

Enclosure 1 in No. 67.

"WESTERN STAR," Bay of Islands, Newfoundland, October 24, 1906.

IS IT JAIL OR STARVATION?

Our people are disgusted with the manner in which they are being treated by Sir Robert Bond, who has always posed as the true friend of the fishermen of the West Coast. He has left us totally in the dark, regarding the *modus vivendi*, and the longer he refuses to take us into his confidence, the more certain will we be that there is something he wishes to hide.

Sir Robert Bond in the past, instead of being our best friend has been our worst enemy. He took away our means of livelihood, and in return offered the jail as a substitute. He has played fast and loose with us, and now the time is come when he must answer for his treatment of the men whose support helped to place him where is is to-day. What does this

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* Enclosure 1 in No. 61.

modus vivendi mean? This is the question we would like to ask the Premier. He must know surely. He stated at the outset that the fishermen of Newfoundland had been sacrificed by Great Britain, in order that trouble with the United States might be averted. He also affirmed that in spite of the *modus vivendi*, the Foreign Fishing Vessels Act would be enforced. Is he determined to enforce this Act, which will put our fishermen in jail and spell starvation for us and our families? Sir Robert Bond cannot remain silent any longer. He must get off the fence and take a stand on one side or the other. He has, by his policy of revenge, lost the confidence of our people, and the least he can do is now to take us into his confidence and tell us exactly where we stand under this new arrangement. Is it jail or starvation?

Until Sir Robert Bond is prepared to tell us the whole truth, we refuse to believe that we have been sacrificed. By his present attitude towards us he has cut loose from his supporters in this district, and his threat of enforcing the Foreign Fishing Vessels Act has created a lot of uneasiness and conjecture here. Is our season to be spoiled simply because the Premier is too lazy or indifferent to give us a full explanation? There is not a man in Bay of Islands who is not vitally interested in this *modus vivendi*, and the very man who is in a position to explain what it means has so far been dumb. We can tell Sir Robert Bond, however, that he is not backed up by our fishermen in his present policy, and the time is fast coming when this fact will be brought home to him in a very forcible manner.

What is Mr. Gibbs doing all this time? We hear he is very busy just now trying to form a labour party in St. John's, and no doubt he has forgotten the fact that his friends here are looking for him to come and explain the *modus vivendi*. We again want to remind Mr. Gibbs that we are anxiously awaiting his coming. The herring season is now upon us, and where do we stand? In the past the fishermen of Bay of Islands have stood by Mr. Gibbs. By his continued absence he is creating the impression that he is not prepared to stand by them. We would like to point out to Mr. Gibbs that it is a poor rule that don't work both ways, and his neglect of our fishermen will in time recoil on his own head. We have no doubt that this new labour party, with which report couples the name of Mr. Gibbs, takes up a great deal of his time; but we would like to suggest that our fishermen are worthy of some consideration, and it is to Mr. Gibbs they are looking at this critical time. If Mr. Gibbs can't come, what about Mr. Howley? Surely he is not too busy?

Enclosure 3 in No. 67.

"Western Star," Bay of Islands, Newfoundland, April 3, 1907.

Fishermen's Protest.

We are pleased to be able to announce that the action of the fishermen and residents of Bay of Islands, in adopting the resolutions and address to His Excellency the Governor, at their meeting on March 26th, has been favourably commented upon throughout the Colony, and in consequence a great deal of sympathy has been aroused on behalf of the West Coast fishermen. Until this protest was entered, many people throughout the Colony believed the Premier's statement that two-thirds of the people of Bay of Islands were in accord with his fishery policy; but now the Premier's assertions have received the flattest contradiction. The fishermen have so often appealed to the Bond Government on this herring fishery question, and been treated with contempt, that they decided upon going direct to the fountain-head, and lay their case before the Home Government, with the earnest expectation that their prayer may in a great measure help His Majesty's Government to solve the fishery question and adjust things to the satisfaction of all concerned, especially the West Coast fishermen. We place confidence in Governor MacGregor, and fully believe that through his efforts the cause of our fishermen will be duly represented at the Colonial Office. Every day is showing more and more the serious damage which has resulted, and is likely to accrue, to the best commercial interests of Newfoundland through the petulant policy introduced by Premier Bond. As a result of this policy, we are confronted with a state of affairs which foreshadows injury to the island's main industry and support. The fishermen and mercantile houses have sustained great losses thereby, and it is no wonder that the fishermen are so incensed at the ill-considered action of Sir Robert Bond and his following.

No. 68.

The GOVERNOR to the SECRETARY OF STATE.

(Received May 17, 1907.)

[*Acknowledged by No.* 74.]

My Lord, Government House, St. John's, April 23, 1907.

I have the honour to transmit herewith copy of an Address to myself adopted at a public meeting of fishermen and residents of Bonne Bay, on the 12th instant, with reference to the autumn herring fishery on the West Coast, and the position of American fishermen in that industry.

Your Lordship will not fail to notice that the people of Bonne Bay protest against the policy of this Government, and appeal to His Majesty the King for protection and preservation.

The terms of the Address are identical with that passed by the people of Bay of Islands.

There seems to be but little doubt that these Addresses represent in a general way the feelings and wishes of Bay of Islands and of Bonne Bay. They, however, comprise but a small part of the population of the island. At the same time it is impossible to conceal from oneself the fact that the people of Bonne Bay and of Bay of Islands are those that are most directly interested in, and dependent on, this particular herring fishery, in which practically no others, except the people of St. George's Bay, participate.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 68.

At a public meeting of fishermen and residents of Bonne Bay, held here on the 12th day of April, A.D. 1907, the following resolutions were passed and adopted:—

Whereas we, the people of Bonne Bay, view with alarm the policy . . . [*see* Enclosure 1 in No. 61] . . . of 1905 and 1906.

Dated at Bonne Bay the 12th day of April, A.D. 1907.

Wm. S. Wheller,
Chairman.
J. C. Seeley,
Secretary.

No. 69.

The GOVERNOR to the SECRETARY OF STATE.

(Received May 17, 1907.)

[*Acknowledged by No.* 74.]

My Lord, Government House, St. John's, April 23, 1907.

I have the honour to enclose, for your information, two extracts from "The Western Star," of Bay of Islands, of the 17th instant, which have reference to the public meeting held at Bonne Bay in connection with the question of the autumn herring fishery on the west coast of this Island.

I have, &c.,
WM. MacGREGOR.

Enclosure 1 in No. 69.

"The Western Star," Bay of Islands, April 17, 1907.

Our Protests.

We are pleased to announce that the citizens and fishermen of Bonne Bay have fallen in line with those of Bay of Islands, and entered a protest against the Government's herring fishery policy. The mass meeting held there Friday was largely attended, and the gathering was one to a man in adopting resolutions and an address to His Excellency the Governor, which they have asked to be forwarded to Downing Street. The interests of the fishermen of Bonne Bay, which are identical with those of Bay of Islands, have been jeopardized by the insane fishery policy introduced by Premier Bond, and it is small wonder that they have risen so nobly to the occasion and branded certain statements of the Premier in the Legislature as maliciously untruthful. The majority of the West Coast *are* deadly opposed to his fishery policy, as its enforcement would spell grim ruin for them. When the idea for memorializing the Home Government originated, the sceptically inclined were of the opinion that such a document would never reach its destination. For the information of those persons, we may here say that the Private Secretary of His Excellency the Governor, in acknowledging the receipt of the resolutions and address from Bay of Islands, said: "I am directed by His Excellency the Governor to inform you that a copy of same will, in due course, be sent to the Right Honourable the Secretary of State for the Colonies." Therefore, we should have no hesitation in assuming that our protest will reach His Majesty-in-Council, and we trust that the results arising therefrom may be beneficial to the fishermen of the West Coast.

The St. John's "Daily News," a journal which has done much to interest the general public in the welfare of the West Coast fishermen, has ably backed up the contentions put forward by the "Star." From a late issue of the "News" we take the following article:—

"There is a feature in connection with the Bay of Islands' protest against the Government's herring fishery policy, which is a commentary on democratic government. We learn on good authority that numerous protests had been forwarded to the local Government, which had been treated with systematic and studied neglect. So much so was this the case that the fishermen have almost regarded it as hopeless to expect that their case would be properly represented to the Colonial Office. The late meeting was a final effort to secure a hearing, and they have, in that instance, wisely carried their appeal to Cæsar. Even now many are convinced that the resolutions adopted will never reach Downing Street. Their experiences of previous treatment have been too bitter to encourage them in the hope of relief. Happily, in this instance, there is no warrant for their lack of faith. The appeal is not to 'the little lordings of the hour,' but to the rulers of a mighty nation. In this appeal direct to the Home Government there is ample precedent, a precedent established through the influence and agency of Sir Robert Bond himself. In 1898 the Colonial Office was deluged with long protests from his pen, protests the insincerity of which was demonstrated beyond cavil by the notorious contract of 1901 and the subsequent costly arbitrations. It is easy for us in St. John's to argue as to constitutional issues, and to discuss problematical substitutes. We are not the sufferers. Those are to be found amongst the sturdy fishermen of the West Coast, who see their livelihood in jeopardy, and grim ruin staring them in the face. The recent protest is the more forcible because it is dignified. Strong language was unnecessary. They have placed their grievances in a manly and courteous manner before the Home Government, and whatever the issue may be, they may rest assured that their representations will be treated in a manner in pleasing contrast to the way in which they have been treated by our local Cabinet."

Enclosure 2 in No. 69.

"THE WESTERN STAR," April 23, 1907.

BONNE BAY FISHERMEN ENTER PROTEST.

Bonne Bay, April 13.

Yesterday, at a public meeting of fishermen and citizens, resolutions and address in unison with Bay of Islands, were unanimously adopted. The populace are astounded that local representatives in the Legislative Assembly should let pass unchallenged the utterances of Premier Bond in reference to the Commander of H.M.S. "Brilliant" and the fishermen of the West Coast, and that our Legislative Councillors have claimed the right to govern in their own way the people of this Colony.

WM. S. WHEELER,
Chairman Meeting.

J. C. SEELEY,
Secretary.

No. 70.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received May 17, 1907.)

[*Acknowledged by No.* 74.]

MY LORD, Government House, St. John's, April 23, 1907.

I HAVE the honour to transmit, for your Lordship's information, an extract from the issue of the 22nd instant of the "Daily News" of St. John's, containing an article on the public meeting held at Bonne Bay on the 12th April with reference to the *modus vivendi* affecting the herring fishery.

It will be noticed that according to this report, which seems to be written in a spirit of moderation, the people of Bonne Bay are unanimous in approving both of the *modus vivendi*, and of the action of Captain Anstruther, of H.M.S. "Brilliant."

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 70.

"DAILY NEWS," St. John's, Newfoundland, April 22, 1907.

BONNE BAY RESOLUTIONS *re* HERRING FISHERY.

From a Bonne Bay correspondent we learn that unusual activity and determination has lately been manifested respecting the Bay of Islands herring fishery and the action of the

Government therewith. The fishermen are unanimous in their opposition to the course pursued by local authority, and following their Bay of Islands fellow-workers, have adopted similar resolutions, which are being forwarded to His Excellency the Governor for transmission to the Imperial Office at Downing Street. On the 8th instant, notices were posted at various settlements adjacent to Bonne Bay, calling a public meeting to discuss the situation and consider resolutions relating thereto. On Friday afternoon the meeting was held, and was attended by a large gathering of fishermen. When the meeting opened, Mr. Wm. S. Wheeler was moved to the Chair, and Mr. J. C. Seeley was chosen Secretary. The Chairman outlined the object of the meeting, and took occasion to review the salient points connected with the dispute, which has occasioned so great loss and vexation to herring fishermen about the West Coast. He urged the observance of law and respect for constituted authority, but deprecated the fact that the families of fishermen were subjected to hardships and loss, where no good thing could result from the observance of unreasonable legal provisions. The Premier's speech was discussed, and his statement that the fishermen were a lawless lot, indignantly repudiated. The charge also, of the Premier, that the Captain of H.M.S. "Brilliant" had usurped the functions of law-giver and exceeded his duty was denied in emphatic terms. The fishermen take the ground that having families to support, they are justified, even against local laws in utilizing the food which Providence bestows, in order to ward off starvation. They claim that the interference, on their behalf, of H.M.S. "Brilliant" was proof that they were correct in their claim, since the British warship and her Captain were the agents of the British Government, which latter is the sovereign power over all dependencies of the Crown. To say, therefore, as the Premier did, that Captain Anstruther had acted arbitrarily or illegally, was to assert a position incorrect and untrue. He performed the duties directed by his superiors, the performance of them meant the difference as between comparative comfort and actual destitution for the West Coast herring fishermen, and to the British Government, these hardy sea toilers are deeply grateful. Some speeches delivered in the Legislative Council were referred to, notably those of Hons. E. R. Bowring and R. K. Bishop, and contrasts were drawn as between the two. The position advanced by Mr. Bishop was unanimously agreed to as being correct, and wonder existed in Bonne Bay that men engaged in the fisheries of the Colony could be so ignorant of conditions existing, or so blind to the fishermen's interests as to express the opinions credited to them in their published speeches. Surprise and alarm were also voiced that district representatives could sit dumbly while an attempt was made to sacrifice the welfare and livelihood of their constituents on the West Coast. At the close of the Chairman's remarks, the resolutions, read by the Secretary, were proposed by Mr. Jonathan Mercer, of Curzon Village, seconded by Mr. Thomas Wilton, of Woody Point, supported by Mr. G. Hopkins, of Norris Point, and Captain Wm. Noel, of Woody Point, and carried unanimously. The gathering were full of enthusiasm, but the meeting was orderly and free from clap-trap appeals or empty noise. The fishermen had come together to deal with a question vitally affecting their livelihood, and it was discussed earnestly and with the sole object of bettering their condition in spite of the mistakes of local authority. The resolutions were identical with those passed at Bay of Islands, and already published in the "News." The fishermen feel confident that the British Government will listen to their appeal, and still further extend support already enjoyed, without which their lot in their own land would be sorry indeed.

No. 71.

The GOVERNOR to the SECRETARY OF STATE.

(Received May 17, 1907.)

My Lord, Government House, St. John's, April 24, 1907.

I have the honour to transmit herewith, for your information, in continuation of previous correspondence in connection with the case of the two fishermen Dubois and Crane, copy of a letter which I have received from the Attorney-General, Sir Edward Morris. Your Lordship will notice that the Attorney-General states that it is not likely that the judgment in this case will be given before the May term of the Court, which opens on the 1st and closes on the 21st of that month.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 71.

Attorney-General's Office, St. John's,
Newfoundland, April 20, 1907.

Sir,

I have the honour to report, for your information, that the arguments before the Supreme Court in the case of O'Reilly *versus* Dubois and Crane closed on yesterday.

It is certain that no judgment in this case will be given before the May term, which opens on the 1st and closes on the 21st. I may say that during the course of the arguments Sir James Winter was retained in connection with Mr. Howley on behalf of the appellants. The main grounds relied on by the appellants were that under a construction of the Bait Act the appellants were not required to take out a licence; and that the licence contemplated by the Act is not to individual fishermen, but to the vessel or to the master.

They abandoned the position that they were citizens of the United States on an American vessel, or that they had any nationality as American subjects or inhabitants of the United States within the meaning of the Treaty, and they claimed that they were fishermen of the Colony employed by American fishermen who were possessed of Treaty rights.

The Court intimated that only as a last resort would they pass on the question of the treaties.

I have, &c.,
E. P. Morris,
His Majesty's Attorney-General.

His Excellency
Sir William MacGregor, M.D., K.C.M.G., C.B.

No. 72.

The GOVERNOR to the SECRETARY OF STATE.

(Received May 17, 1907.)

My Lord,
Government House, St. John's, May 7, 1907.

I have the honour to enclose, for your information, copy of a letter I have just received from Sir Edward Morris, Attorney-General, covering a report—which I enclose in duplicate—in the "Evening Herald" of this day's date, of the judgment of the Chief Justice, Sir William Horwood, in the case of Crane and Dubois, appellants, against O'Reilly, respondent.

2. It will be noticed that Mr. Justice Johnson concurs in the judgment of the Chief Justice, and that his judgment will be given to-morrow. The case is therefore disposed of so far as the Supreme Court is concerned, whatever may be the opinion of Mr. Justice Emerson.

3. It will also be noticed that the Attorney-General draws attention to the fact that the decision in no way involves an interpretation of either the Treaty of 1818, or of the *Modus Vivendi* of 1906; but is confined to affirming the conviction by the Magistrate on the lines of a violation of the Bait Act.

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 72.

Attorney-General's Office, St. John's,
Newfoundland, May 7, 1907.

Sir,

I beg to inform you that a judgment was given to-day by the Chief Justice, concurred in by Mr. Justice Johnson (Mr. Justice Emerson intimating that he would give a judgment later, but not indicating the nature of the same), in the case of O'Reilly *versus* Dubois and Crane. I enclose you the full text of the judgment taken from the "Evening Herald" newspaper of this evening's date. You will notice that the decision in no way involves an interpretation of the Treaty or of the *Modus Vivendi*, but proceeds entirely on the lines of a violation of the Bait Act.

I have, &c.,
E. P. Morris,
His Majesty's Attorney-General.

His Excellency
Sir Wm. MacGregor, K.C.M.G., C.B.,
&c., &c., &c.

"THE EVENING HERALD," St. John's, Newfoundland, Tuesday, May 7.

SUPREME COURT.

CRANE, ET AL, APPELLANTS, *versus* O'REILLY, RESPONDENT.

This morning Chief Justice Horwood and Justice Johnson, constituting a majority of the Court, delivered their judgments in this case, confirming the decision of Magistrate March and dismissing the appeal.

Justice Emerson stated that as he had been on circuit he had not had time to deal with the matter and would give his judgment later.

(Judgment of Chief Justice.)

The appellants are local fishermen who have been charged upon the complaint of the respondent, a special commissioner appointed for the purpose of enforcing the Bait Act, with unlawfully putting on board the schooner "Ralph L. Hall," of Gloucester, Massachusetts, United States of America, a quantity of bait-fishes, to wit, a barrel of herring without a license for that purpose, contrary to the provisions of the Consolidated Statutes (second series) Chapter 129, entitled of "The exportation and sale of bait-fishes."

Upon the hearing before the Magistrate at Bay of Islands, it was proved that Crane and Dubois put herring on board the schooner "Ralph L. Hall," that one of them was seen to dip up herring from a dory alongside the schooner and pass them to the other on the deck of the schooner; that they subsequently admitted that they had put on board the schooner three or four barrels of herring while the vessel was at Woods Island, and that they had not a license. Crane and Dubois, while on shore at Woods Island, were engaged, under a verbal agreement, to form part of the fishing crew of the "Ralph L. Hall." Under this agreement, they were to receive $1 per barrel for herring, and were to be furnished by the schooner with boats and nets, to pay for the nets in event of loss. In pursuance of this agreement they proceeded in a vessel to a distance of three miles outside of Woods Island, for the purpose of joining the "Ralph L. Hall," which had preceded them, and was awaiting them at this point. They there joined the schooner, and their names were written on the ship's articles by the mate. The "Ralph L. Hall" then returned to the port and remained there. Crane and Dubois engaged in catching herring at Woods Island for the schooner, and while so engaged, lived on board the "Ralph L. Hall," and used her nets and boats. From the evidence given upon the hearing before the Magistrate, it did not appear whether or not they had signed the ship's articles and when this appeal first came before the Court, counsel obtained leave to furnish evidence. Since then a commission was taken for the examination in Gloucester, Massachusetts, of the master of the "Ralph L. Hall" and others; applicants have, however, failed to show that the ship's articles were signed by them. On the contrary, the evidence taken upon the commission is, that the names of some twenty-three fishermen, including the appellants, were written on the articles by the mate of the "Ralph L. Hall," and that the legal requirements as to signature and attestation were not complied with. The United States shipping commissioner at Gloucester, who was examined as a witness, proved that in the United States law there is no distinction between seamen and fishermen as regards the forms and nature of their shipping agreements. There is absolutely no proof that the appellants acquired the status of United States seamen or fishermen, and after the return of the commission, appellants' counsel, upon the opening of the argument, stated that the appellants abandoned the position that they were seamen of an American vessel, or that they had any nationality as American subjects or inhabitants within the meaning of the Treaty, but that they would contend they are fishermen of this Colony, employed by Americans, who were possessed of Treaty rights.

The Magistrate convicted the appellants of the offence with which they were charged, and imposed upon them the following penalty, "that is to say each said defendant to pay a fine of $500, and failing to pay said fine, to be committed to His Majesty's gaol at Bay of Islands for the space of three months."

The appellants' grounds of appeal, as set forth in their amended notice, are, that the judgment of the Magistrate was contrary to law; and that the facts proved at the hearing before the said Magistrate did not constitute an offence against Chapter 129 of the Consolidated Statutes of Newfoundland, second series.

The appellants' main contention is, that they are not persons who are required by the Act to have licenses, and that the section under which the complaint is made, applies only to owners or masters of vessels. That the "Ralph L. Hall," being a United States fishing vessel, had a Treaty right which was equivalent to a license; and that the appellants were employed by this vessel and could not be guilty of an offence under this statute if the vessel herself was not. An objection has been taken to the form of the complaint, on the ground that it does not specifically state the purpose for which the bait-fish was put on board, and an exception has also been taken to the form of the conviction as bad for uncertainty in that it is stated in the alternative. I propose to deal first with the technical objections. As to the objection to the form of the complaint, I have to hold, that the charge is stated with sufficient definiteness and complies with the Statute. The contention that the conviction is bad in form because it imposes imprisonment in default of payment of the fine, is wholly untenable in view of the Statute, 60 Vic., cap. 23, section 1.

"Whenever, after the passing of this Act, any person shall be convicted summarily of an offence for which a fine or pecuniary penalty is provided either by any Statute of the Imperial Parliament or by an Act of the Legislature of this Colony, the person making default in the payment of such fine shall be liable to imprisonment according to the scale provided in the schedule of this Act, without recourse to distress or other alternative punishment, and upon the imposition of such fine, the corresponding term of imprisonment shall form part of the sentence by implication." Kean *versus* Winsor, 1906, L.R. 183, shows the application of this section to a prosecution under 11 and 12 Vic. Cap. 44 since that case is not distinguishable in principle from the present.

In order to deal with the main objection of the appellants, it becomes necessary to carefully examine the language of Chapter 129 under which the prosecution is taken.

The first section of the Chapter, sub-section 4, upon which the complaint is framed, is as follows:—

"No person shall (4) take, ship or put or haul on board or assist in taking, shipping, putting or hauling on board of any ship or vessel for any purpose whatever, any herring, caplin, squid or other bait-fishes from, on, or near any parts of this Colony or its Dependencies, or from, or in any of the bays, harbours, or other places therein, without a license in writing to be granted and issued as hereinafter provided."

The following section (2 of Cap. 129) provides that licenses may be granted for any of the following purposes: (*inter alia*), (f) to take, ship or put on board a ship or vessel, or to carry or convey on board a ship or vessel, bait-fishes for exportation, for food or consumption, (h) to take, ship or put on board a vessel, or to carry or convey on board a ship or vessel, bait-fishes for exportation, for bait purposes, (1) to take, ship or put on board a ship or vessel, or to carry or convey on board a ship or vessel, coastwise, to be discharged or landed or transhipped to some other ship or vessel, within some port in this Colony."

A license cannot be issued except under the authority of the Governor in Council, and the applicant is required by the Statute to first make an affidavit setting forth the following particulars, viz.: the name of the vessel on board of which it is intended to convey or export bait-fishes, the purpose for which such bait-fishes are intended to be conveyed or exported, whether for food or consumption, or for bait purposes, the country to which it is intended to export the same, or the place where the fishery is to be prosecuted for which such bait-fishes are to be used.

The Act also contains a provision empowering the Governor in Council from time to time to suspend or limit by proclamation, the operation of the Act.

If we look at the object of the Statute, we find the Act was passed in the interest of the fisheries of the Colony. It prohibited the sale and exportation of bait and, to make the prohibition effective, it prohibited any dealing in bait-fishes in such a way as would lead up to, or form part of their exportation or sale. It declared it to be unlawful to sell bait-fishes to another, not having a license under the Act, who purposed shipping or exporting them; and throws upon the party accused the onus of proof that the bait-fishes were not intended for shipment or exportation. It makes it an offence for a man to have in his possession bait-fishes intended for exportation.

The putting on board, because it is one of the incidents of exportation, is an act which the Legislature has expressly aimed to prevent. The interpretation of "vessel" too, is given in most general and unrestricted terms.

It has been argued that no license is provided for persons in the position of the appellants. So far as Statutable provision is concerned, the authority conferred by Section 2 of the Act is ample, and the complement of Sub-section 4 of Section 1 is to be found in the sub-sections of Section 2 which I have before quoted.

Then it is argued that although there were nine purposes for which, according to Section 2, licenses might be issued, the Governor in Council had only prescribed two forms of license. These forms, however, purport to deal only with specific purposes, and leave untouched other matters, and it is not a legitimate inference that a limitation to the scope of the Act is to be implied from this fact. In support of the contention that the appellants do not come within the scope of the Act, it has been said that persons in their position were unable to comply with the requirements of the fifth and seventh sections. To say that the Act does not apply to persons because they have no control over the movements of the vessel on board of which they put bait, or the final disposition of the cargo, would be to place upon the Statute a very restricted application. It was not necessary for the appellants to possess such control in order to comply with the section. They were bound to make inquiry, and satisfy themselves as to the purpose for which the bait-fishes were required, and place themselves in a position to comply with the provisions of the Act.

The words of the Statute import an absolute prohibition against certain acts being done without a license issued under the authority of the Governor in Council.

The question for the determination of the Court in the present appeal is whether the appellants having put herring on board the "Ralph L. Hall" without a license have been guilty of an infraction of Sub-section 4 of one of the Chapters.

It is to be observed that the sub-section is not only directed against every person who "takes, ships or puts or hauls on board any vessel" any bait-fish, but governs the case of persons who "assists in taking, shipping or putting or hauling on board of any ship or vessel, bait-fishes for any purpose whatever, without a license."

Whether the defendants might have been prosecuted under the Chapter for selling bait for the purpose of exportation to a person not holding a license, is beside the question. The issue here is simply was it necessary for them to have held a license from the Governor in Council for the purpose, before they put the bait-fish on board the vessel?

The language of the section is most comprehensive, and indicates that the intention of the Act was to prohibit the putting of bait-fishes on board vessels under any circumstances, unless by the authority of a license. To prevent any evasion of this statutable prohibition, the Act prohibits even the procuring,—having in the possession for the purpose of exportation, receiving in barter,—assisting in taking, shipping, &c. The words being plain and obvious, are not to be curtailed in their meaning by reason of any hardship they impose, or because of the inability of persons to comply with their requirements. The prohibition contained in Section 1 is too clear and absolute to admit of any doubt, and there is nothing to show that the appellants can claim exemption from it.

The Attorney-General, in his argument, has drawn our attention to the fact that this Act has to some extent been the subject of judicial interpretation. In Hann *v.* Sullivan (Newfoundland Law Reports, 1894) the late Chief Justice in delivering judgment, after pointing out that in the particular year with which he was dealing, only three forms of licenses were authorised by the Governor in Council, viz.: a license to local fishermen permitting the hauling or catching and selling of bait-fishes, a license to vessels belonging to the Colony prosecuting the deep sea fishery, and a license to foreign fishermen or fishing vessels, makes the following comment:—

"Up to the month of June no other kind of license was permitted to be issued, and no form of license for the exportation of bait-fishes was issued or sent to officers to be issued, preceding or during the season now in question, and consequently there was an entire suspension of authority to export bait-fishes in that year."

In adjudicating on the rights of the parties in this case, it has not been necessary for us to enter upon a consideration of the arguments addressed to us by counsel, as to the interpretation of the Convention made in 1818 between His Britannic Majesty and the United States of America. I may observe that Chapter 129 recognizes the rights acquired by the inhabitants of the United States under this Convention, for it contains a provision, common to our fishery legislation, to the effect that nothing in the Chapter is "to affect the rights and privileges granted by Treaty to the subjects of any State in amity with His Majesty." The appellants, however, do not possess any treaty rights, as they are British subjects, resident in this Colony. Whether "inhabitants of the United States" who "in common with the subjects of His Britannic Majesty" possess "the liberty to take fish of every kind" on certain parts of the coasts of Newfoundland, could lawfully have shipped bait-fish on board the "Ralph L. Hall" at Woods Island without a special license, is immaterial, and cannot affect the rights or liabilities of the appellants. It is not competent for us to consider whether under the Treaty of Washington, which has since expired, it was the practice of United States fishing vessels to purchase bait-fish from local fishermen, before there was any restriction upon the sale of bait, and when vessels of any nationality could have bought what bait-fish they desired, for it was with the object of putting an end to the conditions which then obtained with respect to the traffic in bait, that the Statute was passed. It is impossible for the appellants to set up that the acts complained of were covered by any Treaty right. The appellants did not form any part of the crew of the "Ralph L. Hall." The attempted engagement of these men by this foreign fishing vessel was absolutely void, being in contravention of the Statute law of this Colony. By the Statute, 5 Edward VII., Cap. 4, Section 1, it is declared illegal for the master of a foreign fishing vessel to "engage or attempt to engage any person to form part of the crew of the said vessel, in any port, or on any part of the coasts of this Island."

It is clear that a contract is void if prohibited by a Statute though the Statute inflicts a penalty only because such a penalty implies a prohibition (per Park B., Copp *versus* Rowlands, 2 M. and W., 149, and per Lord Holt, Bartlett *versus* Vinor, Carthens, 252). The attempted engagement of these men being nugatory, there can be no identity between the appellants and the "Ralph L. Hall." With respect to the application of the Bait Act, the appellants therefore must necessarily stand towards the vessel in the relation of local suppliers of bait-fish, and, before they are permitted to ship or put bait-fish on board the vessel, Section 1 of this Chapter requires that they should hold a license. The license which this section requires them to hold, is a license issued under the Act by the authority of the Governor in Council. The appellants not having had such a license, are guilty of the offence with which they have been charged, and the conviction must therefore be affirmed with costs. Sir James Winter, K.C., and Mr. Howley, counsel for appellants; the Attorney-General and Mr. Kent, K.C., for respondents.

Mr. Justice Johnson's judgment, to the same effect, will appear to-morrow.

Sir James Winter, K.C., intimated his intention to appeal to the Privy Council.

No. 73.

ADMIRALTY to COLONIAL OFFICE.

(Received May 28, 1907.)

SIR, Admiralty, May 24, 1907.

WITH reference to your letter of the 22nd March last,* forwarding copy of a speech† delivered by the Prime Minister of Newfoundland in which reference was made to the refusal of some members of the Newfoundland Royal Naval Reserve to re-enrol, I am commanded by my Lords Commissioners of the Admiralty to forward herewith, for the information of the Earl of Elgin, copy of a report on the subject which has been received from the Commanding Officer, H.M.S. "Calypso."

I am, &c.,
C. I. THOMAS.

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* Not printed. It merely forwarded for observations copy of enclosure in No. 58.

† Enclosure in No. 58; see p. 128.

Enclosure in No. 73.

H.M.S. "Calypso," St. John's, Newfoundland,
May 2, 1907.

SIR,

IN compliance with directions contained in Admiralty Letter of 9th April, 1907, I have the honour to report that the second contingent of men who enrolled in the Newfoundland Royal Naval Reserve, and joined in 1901, completed their five years' engagement in November, 1906, the number of these men in the reserve at that date being 40. Out of this number six presented themselves for re-enrolment, three being rejected as medically unfit.

The procedure adopted as regards these discharges and re-enrolments was as follows:—

A communication was sent to each man informing him that his time in the reserve had expired, and instructions were given as to what he should do in either case, viz., if he wished to re-enrol or take his discharge, but no pressure of any sort was used to induce him to re-enrol, nor was he asked to give any reasons for his not wishing to do so.

2. I have, however, reason to believe that the motives which governed the decisions of these men to take their discharge were all purely personal and of a varied character, and in no way differed from the motives which induced the men of the first contingent to take their discharge in the previous year.

3. As regards the statement made by the Prime Minister of Newfoundland with reference to this matter, I would submit that I have reason to suppose that:—

(1) In the case of reserve men who do not take part in the autumn herring fishery, and who form the large majority of the Newfoundland Royal Naval Reserve, there are few who understand the herring fishery question, and towards which their attitude appears to be one of indifference, while the remainder appear to be ignorant of the whole matter.

(2) The men of the Newfoundland Royal Naval Reserve who take part in the autumn herring fishery would appear to have little knowledge of the political aspect of the question, and do not understand how the herring fishery policy can have anything to do with their remaining or not in the reserve, and fail to see any connection between the two ideas.

4. I would, therefore, submit that it is improbable that the action of His Majesty's Government in concluding the late fisheries *Modus Vivendi* with the United States Government had any bearing on the failure of certain members of the Royal Naval Reserve in question to re-enrol.

I have, &c.,
A. K. HILL,
Commander.

The Secretary to the Admiralty,
Whitehall.

No. 74.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR,
Downing Street, May 29, 1907.

I have the honour to acknowledge the receipt of your despatch of the 23rd of April,* forwarding copy of a resolution passed at a public meeting held in Bonne Bay on the 12th of April, with reference to the autumn herring fishery on the west coast of Newfoundland, and also of your despatches† noted in the margin on the same subject.

April 17.
April 19.
April 23.
April 23.

I have, &c.,
ELGIN.

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* No. 68.

† Nos. 64, 67, 69 and 70.

No. 75.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received June 3, 1907.)

MY LORD, Government House, St. John's, May 12, 1907.

WITH reference to previous correspondence, I have the honour to transmit, for your information, copy of a letter I have received from the Attorney-General, from which it would appear: (*a*) That about one hundred fishermen were present at the meeting that passed the resolutions at Bonne Bay on the 26th March; (*b*) That the fishermen of Bonne Bay are "pro-American."

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 75.

Attorney-General's Office, St. John's,
Newfoundland, May 9, 1907.

SIR,

I HAVE the honour to report, for your information, that in the last monthly report, dated 30th April, 1907, the Magistrate at Bonne Bay writes as follows in relation to the public meeting held there:—

> "A public meeting at the call of James C. Seeley and William S. Wheeler was held some short while since in Seeley's cooper shop. Former was written to by the Editor of the "Western Star," asking him to lay the resolutions as passed by the men of Bay of Islands before the fishermen here for their endorsation and action. Less than one hundred were present. The object of the meeting was explained by the Chairman, Wheeler; resolutions read and passed; time occupied less than half an hour. Mostly fishermen who were last season shipped to Americans comprised the audience. All business men (save Seeley) kept aloof and refused to have anything to do with same. The fishermen here are pro-American, and Seeley is sore over the case in which his steamer "Active" is involved. This may be his reason for being identified with meeting."

I have, &c.,
E. P. MORRIS.

His Excellency
Sir Wm. MacGregor, M.D., K.C.M.G., C.B.,
&c., &c., &c.

No. 76.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, July 19, 1907.

I HAVE the honour to transmit to you, to be laid before your Ministers, copy of a note addressed by the Secretary of State for Foreign Affairs to the United States Ambassador at this Court proposing a *modus vivendi* regarding the American fishery rights in Newfoundland waters for the season of 1907.

2. The proposals embodied in this note have formed the subject of repeated discussions with your Prime Minister, who received a copy of the note before his departure from England; but I regret to inform you that they have not altogether met his wishes. I shall, therefore, explain briefly the reasons which have induced His Majesty's Government to adopt the views expressed in the note to Mr. Whitelaw Reid.

3. The expiration of the *modus vivendi* for the season of 1906 left matters as they stood in the earlier part of that year. The Government of the United States asserted that the fishery privileges granted to them in Newfoundland waters by the Treaty of 1818 were to be exercised independently of any Colonial regulations, while His Majesty's Government claimed that it was within the power of the Colonial Government to enact such regulations as did not interfere with the exercise of the

American right. Under these circumstances His Majesty's Government were compelled to take into consideration what arrangements could be made for the season of 1907.

4. Sir R. Bond suggested in his speech* at the Colonial Conference of the 14th of May that the rights granted to the inhabitants of the United States under the Treaty of 1818 were not set forth in language that was ambiguous, and he asked that His Majesty's Government should define the rights of American citizens under the Treaty. But His Majesty's Government have already intimated to the United States Government the extent of the rights conferred, in their view, on the American fishermen by the Treaty, and that definition has not been accepted by the Government of the United States, who, on their part, contend that the words of the Treaty bear precisely the opposite meaning to that assigned to them by Sir R. Bond. His Majesty's Government adhere to the interpretation of the Treaty conveyed in Sir E. Grey's note to Mr. Whitelaw Reid of the 2nd of February, 1906,† but your Ministers will realise that it is impossible for one party to a treaty to force its own interpretation of the meaning of the treaty upon the other party.

5. Recourse must, therefore, be had to diplomacy for a settlement of the points at issue, and His Majesty's Government will use every effort to secure results favourable to Newfoundland, but obviously some arrangement *ad interim* was essential for the approaching season. Sir R. Bond suggested as a solution of the question that the assent of the Crown should be given to the Act of 1906, and that the Colonial Government should be permitted to enforce its laws for the regulation of the fisheries.

6. To adopt this suggestion would have led to strong protests from the United States Government, which would justly have pointed out that His Majesty's Government were thus adopting their own interpretation of the treaty in an extreme form. It would have involved compelling the American fishermen to conform to Customs laws, to pay light dues, not to use purse seines or fish on Sundays, and would have deprived them of the assistance of Newfoundland fishermen in carrying on their operations. His Majesty's Government, therefore, felt that some arrangement must be made unless serious difficulties were to be raised as soon as fishing commenced.

7. His Majesty's Government have, therefore, decided not to insist on American vessels calling at Customs Houses—though they have suggested to the United States Government good reasons why such vessels should call—and to exempt those vessels from payment of light dues in cases where similar vessels registered and owned in the Colony are exempt. They recognised that those concessions are substantial, but they consider that they are the least injurious to the interests of the Colony. On the other hand, they have pressed the right of the Colonial Government to prevent Newfoundlanders serving on American vessels, and they have urged the United States Government to accept the prohibition of the use of purse seines and of Sunday fishing. These proposals are now under the consideration of the United States Government, and no effort will be spared to secure the most favourable terms possible for Newfoundland pending the further discussion of the main questions at issue.

8. His Majesty's Government earnestly trust that in the carrying out of any *modus vivendi* which may be found necessary, and in the conduct of negotiations, they will receive the fullest co-operation of the Newfoundland Government. In his speech at the Colonial Conference Sir R. Bond repudiated any desire to limit the treaty rights of American citizens, and asked for nothing but justice and responsibility sanctioned by the spirit and forms of the British Constitution. His Majesty's Government feel, therefore, entitled to rely on his help in arranging conditions on which the fishery may be carried on pending the final settlement of the dispute with the United States as to the meaning of the Treaty of 1818; for they have no doubt that your Ministers will agree that the strict observance of treaty obligations is binding upon all portions of the British Empire.

I have, &c.,
ELGIN.

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* See page 600 of [Cd. 3523], May, 1907.

† See page 5 of [Cd. 3262].

Enclosure in No. 76.

Sir E. Grey to Mr. Whitelaw Reid.

Sir, Foreign Office, June 20, 1907.

On the 20th of July last,* Your Excellency communicated to me a letter addressed to you by Mr. Root in which he gave reasons which prevented his agreement with the views of His Majesty's Government as to the rights of American fishing vessels in the waters of Newfoundland under the Convention of 1818.

No reply was returned at the time to the arguments contained in this letter, as the divergence of views between the two Governments made it hopeless to expect an immediate and definitive settlement of the various questions at issue and it was essential to arrive at some arrangement immediately which would secure the peaceable and orderly conduct of the impending fishery season.

Upon the conclusion of the *Modus Vivendi*, His Majesty's Government further deferred any additional observations on the questions at issue until the arrival in this country of the Premier of Newfoundland to attend the Imperial Conference.

They have now had the advantage of a full discussion with Sir R. Bond, and although His Majesty's Government are unable to modify the views to which they have on various occasions given expression, of the proper interpretation of the Convention of 1818 in its bearing on the rights of American fishermen, they are not without hope, having regard to the willingness of the United States Government from a practical point of view to discuss reasonable and suitable regulations for the due control of the fishermen of both countries, that an arrangement may be arrived at which will be satisfactory to both countries.

I desire at the outset to place on record my appreciation of the moderation and fairness with which Mr. Root has stated the American side of the question and I shall in my turn endeavour to avoid anything of a nature to embitter this long-standing controversy.

It will be convenient to recapitulate the main grounds of divergence between the two Governments on the question of principle.

His Majesty's Government, on the one hand, claim that the Treaty gave no fishing rights to American vessels as such, but only to inhabitants of the United States and that the latter are bound to conform to such Newfoundland laws and regulations as are reasonable and not inconsistent with the exercise of their Treaty rights. The United States Government, on the other hand,, assert that American rights may be exercised irrespectively of any laws or regulations which the Newfoundland Government may impose, and agree that as ships strictly speaking can have no rights or duties, whenever the term is used, it is but a convenient or customary form of describing the owners' or masters' rights. As the Newfoundland fishery, however, is essentially a ship fishery, they consider that it is probably quite unimportant which form of expression is used.

By way of qualification Mr. Root goes on to say that if it is intended to assert that the British Government is entitled to claim that, when an American goes with his vessel upon the Treaty Coast for the purpose of fishing, or with his vessel enters the bays or harbours of the coast for the purpose of obtaining shelter, and of repairing damages therein, or of purchasing wood, or of obtaining water, he is bound to furnish evidence that all the members of the crew are inhabitants of the United States, he is obliged entirely to dissent from any such proposition.

The views of His Majesty's Government are quite clear upon this point. The Convention of 1818 laid down that the inhabitants of the United States should have for ever in common with the subjects of His Britannic Majesty the liberty to take fish of every kind on the coasts of Newfoundland within the limits which it proceeds to define.

This right is not given to American vessels, and the distinction is an important one from the point of view of His Majesty's Government, as it is upon the actual words of the Convention that they base their claim to deny any right under the Treaty to American masters to employ other than American fishermen for the taking of fish in Newfoundland Treaty waters.

Mr. Root's language, however, appears to imply that the condition which His Majesty's Government seek to impose on the right of fishing is a condition upon the entry of an American vessel into the Treaty waters for the purpose of fishing. This is not the case. His Majesty's Government do not contend that every person on board an American vessel fishing in the Treaty waters must be an inhabitant of the United States, but merely that no such person is entitled to take fish unless he is an inhabitant of the United States. This appears to meet Mr. Root's argument that the contention of His Majesty's Government involves as a corollary that no American vessel would be entitled to enter the waters of British North America (in which inhabitants of the United States are debarred from fishing by the Convention of 1818) for any of the four specified purposes, unless all the members of the crew are inhabitants of the United States.

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* No. 4 in [Cd. 3262.]

Whatever may be the correct interpretation of the Treaty as to the employment of foreigners generally on board American vessels, His Majesty's Government do not suppose that the United States Government lay claim to withdraw Newfoundlanders from the jurisdiction of their own Government so as to entitle them to fish in the employment of Americans in violation of Newfoundland laws. The United States Government do not, His Majesty's Government understand, put their claim higher than that of a "common" fishery, and such an arrangement cannot override the power of the Colonial Legislature to enact laws binding on the inhabitants of the Colony.

It can hardly be contended that His Majesty's Government have lost their jurisdiction not only over American fishermen fishing in territorial waters of Newfoundland, but also over the British subjects working with them.

It may be as well to mention incidentally in regard to Mr. Root's contention that no claim to place any such restriction on the French right of fishery was ever put forward by Great Britain; that there was never any occasion to advance it, for the reason that foreigners other than Frenchmen were never employed by French fishing vessels.

The main question at issue is, however, that of the application of the Newfoundland regulations to American fishermen. In this connection the United States Government admit the justice of the view that all regulations and limitations upon the exercise of the right of fishing upon the Newfoundland Coast, which were in existence at the time of the Convention of 1818, would now be binding upon American fishermen. Although Mr. Root considers that to be the extreme view which His Majesty's Government could logically assert, and states that it is the utmost to which the United States Government could agree, His Majesty's Government feel that they cannot admit any such contention, as it would involve a complete departure from the position which they have always been advised to adopt as to the real intention and scope of the treaties upon which the American fishing rights depend. On this vital point of principle there does not seem to be any immediate prospect of agreement with United States views, and it would, therefore, seem better to endeavour to find some temporary solution of the difficulty as to the regulations under which the Americans are to fish.

His Majesty's Government note with satisfaction Mr. Root's statement that the American Government are far from desiring that the fishery should go unregulated, and believing as they do that the Newfoundland regulations have been framed with the intention of preserving and maintaining the fishery in the most efficient and productive condition, and for the prevention of practices that must be detrimental to the common interests they propose to communicate a copy of all the regulations that are now in force, and if there is anything in these regulations which the United States Government feel to bear hardly upon the American fishermen, His Majesty's Government will gladly pay the utmost consideration to any American representations on the subject with a view to the amendment of the regulations in the sense desired, provided that such be consistent, with the due preservation of the fishery.

Pending this examination of the regulations, His Majesty's Government would propose the following arrangements as to the provisions in the Newfoundland enactments that have been most discussed.

These are the obligation to report at a Custom House and to pay light dues, and the prohibition to use purse seines, and to fish on Sundays. Other regulations, such as the prohibition to throw ballast or rubbish into the water frequented by herring, and to throw overboard on the fishing ground fish offal, heads and bones, have occasionally come in question, but are clearly reasonable, and are not, it is believed, objected to by the United States Government. Fishing at night is another question which has been discussed, although it is not forbidden by the regulations. His Majesty's Government understand that by tacit consent among the fishermen themselves fishing is not pursued at night, and with this arrangement there seems no reason to interfere.

With regard to the entry and clearance of American vessels at Newfoundland ports, I would remind Your Excellency that the American vessels engaged in the winter fishery in the Bay of Islands must pass in close proximity to several Custom Houses, and that it cannot be said that the obligation to report and clear unduly interferes with the operations of the vessels. On this point, however, His Majesty's Government would, in order to secure an arrangement for the next fishing season, be prepared to defer discussion of the question of right; but they would urge, on the other hand, that it would be most advisable that American vessels should comply with the regulation on the ground that unless the vessels enter at the Custom Houses, the British authorities have no cognizance that they are in Newfoundland waters, and that, as His Majesty's Government are responsible for keeping the peace, it is important that they should know exactly what American vessels are on the fishing grounds. Moreover, the provision in question is clearly necessary for the prevention of smuggling, and unless American vessels have made proper entry at a Custom House, there is no means, short of searching the vessels, of ascertaining whether they are really fishing vessels, and not smugglers.

The next point in dispute is the prohibition of purse seines. His Majesty's Government have the independent testimony of British naval officers who have been employed on the Treaty Coast as to the destructive results of their use; and they would, therefore, point out that there is complete justification for the Colonial regulation.

I would, moreover, remind Your Excellency that the regulation is in force in all the waters of the Colony of Newfoundland and of the Dominion of Canada, and applies equally to all fishermen whether they be Newfoundlanders or not. His Majesty's Government, therefore, feel that they cannot interfere with the enforcement of the regulation which prohibits purse seines in the waters of Newfoundland. They would also point out that fishing on Sundays is always liable to lead to regrettable breaches of the peace, and they would propose that the American fishermen should agree to abstain from this practice.

Finally, His Majesty's Government feel that the payment of light dues by an American vessel entering a port of the Colony clearly does not involve an unreasonable interference with the exercise of the treaty rights of the American fishermen on board. These dues are payable by all vessels of whatever description and nationality, other than coasting and fishing vessels owned and registered in the Colony. As, however, vessels of the latter class are under certain conditions exempt either wholly or in part from payment, His Majesty's Government consider that it would be unfair to introduce any discrimination against American vessels in this respect, and it is proposed that the demand for light dues should be waived under the same conditions as in the case of the Newfoundland vessels.

I venture to express the hope that the temporary arrangement outlined above will be agreed to by the United States Government.

I have, &c.,
E. GREY.

His Excellency the Honourable
Whitelaw Reid,
&c., &c., &c.

No. 77.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received July 20, 1907.)

(Extract.)

Foreign Office, July 19, 1907.

I AM directed by Secretary Sir E. Grey to transmit to you the accompanying copy of a note which has been received from the American Ambassador in reply to the communication* which was addressed to His Excellency with regard to the rights of American fishing vessels in the waters of Newfoundland. Mr. Whitelaw Reid considers that acquiescence in the proposals of His Majesty's Government would be equivalent to yielding all the vital questions in dispute, and, in view of the hopelessness of reconciling the opinions of the two parties, he proposes that the pending questions under the Treaty of 1818 should be referred to the Arbitration of the Hague Tribunal. At the same time he proposes that, pending the decision of the Tribunal, a temporary *modus vivendi* should be arrived at.

Sir E. Grey is of opinion that it would be very inadvisable for His Majesty's Government to refuse this proposal, and I am to suggest that it should be made known by telegram to the Governments of Newfoundland and of Canada, and that they should be requested to furnish His Majesty's Government with their observations upon it with as little delay as possible. He would also suggest that they should be asked for their views as to the terms of the reference.

Enclosure in No. 77.

SIR,

American Embassy, London, July 12, 1907.

REFERRING to your letter of June 20th, in relation to the Newfoundland Fisheries, I beg to say that while its propositions seemed so much in conflict with our views on the subject that my previous instructions would have enabled me to make an immediate reply, I hastened to lay them before my Government.

Before communicating the result I desire to acknowledge and reciprocate to the full the kindly expressions you have been good enough to use as to the moderation and fairness with which Mr. Root has stated the American side of the case. We have had the same appreciation of your conduct of the discussion, and we share your wish to bring the long-standing controversy on the subject to a satisfactory conclusion without having added anything tending in the slightest degree to embitter it.

But with the utmost desire to find in your last letter some practical basis for an agreement, we are unable to perceive it. Acquiescence in your present proposals would seem to us equivalent to yielding all the vital questions in dispute, and abandoning our fishing rights on the coast of Newfoundland under the Treaty of 1818.

Without dwelling on minor points, on which we would certainly make every effort to meet your views, I may briefly say that in our opinion, sustained by the observations of those best qualified to judge, the surrender of the right to hire local fishermen, who eagerly seek to have us employ them, and the surrender at the same time of the use of purse seines and of fishing on Sunday would, under existing circumstances, render the Treaty stipulation worthless to us.

My Government holds this opinion so strongly that the task of reconciling it with the positions maintained in your letter of June 20th seems hopeless.

In this conviction my Government authorises me, and I now have the honour, to propose a reference of the pending questions under the Treaty of 1818 to arbitration before the Hague Tribunal.

We have the greater reason to hope that this solution may be agreeable to you since your Ambassador to the United States recently suggested some form of arbitration, with a temporary *modus vivendi* pending the decision, as the best way of reaching a settlement. We hope also that the reference of such a long-standing question between two such nations at such a time to the Hague Tribunal might prove an important step in promoting the spread of this peaceful and friendly method of adjusting differences among all civilised countries of the world.

If this proposition should be agreeable to you we should trust that the conclusion might be reached in so short a period that the continuation in force meantime of the *modus vivendi* I had the honour of arranging with you last year could work no real hardship to any British or Colonial interests. In its practical operation last year it resulted in voluntary arrangements by which our fishermen gave up purse seines. They did, however, employ Newfoundland fishermen. We do not think the continued employment of men so eager for the work, and the consequent influx of their wages into the Colony could, for the short time involved, work the Colony any harm. But if for any reason you should find it unsuitable or inconvenient to renew for so short a time this feature of the *modus vivendi*, we should be compelled to insist on the use of purse seines for the reason already stated. To give that up too we should consider under existing circumstances as giving up altogether our Treaty rights of fishing on that coast.

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* Enclosure in No. 76

Hoping that in these proposals we have made an offer not only indicating our earnest desire to reach a mutually satisfactory arrangement, but an honourable and agreeable means of doing so,

I have, &c.,
WHITELAW REID.

Sir Edward Grey, Bart.,
&c., &c., &c.

No. 78.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5.15 p.m., July 23, 1907.)

TELEGRAM.

[*Answered by No.* 80.]

We have now received answer from the United States Ambassador to our note of the 20th June,* which was shown to your Prime Minister, and a copy of which was privately sent you on the 21st June. The effect of the note is that the United States Government cannot give their acquiescence to the present proposals of His Majesty's Government which they feel would be tantamount to yielding all vital questions in dispute. In their opinion the surrender of the right to hire local fishermen, and the surrender at the same time of the use of purse seines and of fishing on Sunday would render their treaty rights worthless. We are, therefore, face to face with a reference of pending questions to arbitration and an *ad interim* renewal of the *Modus Vivendi*. The United States Ambassador has proposed arbitration before the Hague Tribunal and suggests that a conclusion to the proceedings will be reached in so short a time that last year's *Modus Vivendi* can be continued without causing any real hardship to the Colony. If, however, we refused to renew the agreement as to the employment of Newfoundland fishermen, they would be compelled to insist on the use of purse seines. To give up both points they would consider equivalent to abandoning altogether their treaty rights.

From the proceedings at the Conference and also from the correspondence which took place with me, His Majesty's Government are aware that Sir R. Bond is desirous to have all the outstanding questions settled by arbitration before the Hague Tribunal, and the United States Government are being so informed, and a communication will be addressed to you on procedure relating to that subject, but I shall be glad, in the meantime, of the observations of your Prime Minister upon the continuance of last year's *Modus Vivendi*, especially whether he attaches more importance to the prohibition of the employment of Newfoundland fishermen or to that of the use of purse seines. Telegraph reply.—ELGIN.

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* Enclosure in No. 76.

No. 79.

House of Commons, August 1, 1907.

Sir GILBERT PARKER asked the Under Secretary of State for the Colonies if the American Government insisted that American fishermen must be protected against the application of a law passed by the self-governing Colony of Newfoundland regulating the herring fishery within treaty waters; if so, what course had been taken by this Government, and whether the Government was endeavouring to arrange a *modus vivendi* for the present fishing season.

Sir EDWARD GREY, in reply, said: "As negotiations are now proceeding with the United States Government on the whole question of American rights under the Treaty of 1818, I am unable to make any statement on this subject."

No. 80.

The GOVERNOR to the SECRETARY OF STATE.

(Received 3.55 p.m., August 2, 1907.)

Telegram.

[*Answered by No.* 84.]

My Ministers have adopted a long minute in reply to your telegram of the 24th of July,* approving position taken by my Prime Minister in recent correspondence with your Lordship. They cannot be consenting parties to any limitation, suspension, or abrogation of Colonial laws in favour of American citizens. They strongly object to continuance of 1906 *modus vivendi*, and consider that they, and not American Government, are the best judges as to whether last year's *modus vivendi* can be continued without causing hardship to the Colony. This Government, having proposed reference to Hague Tribunal, and concurred in offer of His Majesty's Government, contained in despatch of 20th June last,† Foreign Office to American Ambassador, to communicate to American Government copy of Fishery Regulations now in force, and to consider American representations on the subject, cannot go further. They submit that as fishing does not commence until October, there is ample time for examination of regulations and amendment of the same if found necessary before that date.

If American Government is not prepared to act in accordance with this liberal proposal, they consider it cannot be regarded as unreasonable that His Majesty's Government should insist on Americans conforming to the local laws pending decision of Hague Tribunal. Concerning employment of local fishermen, they refer to the fact that prior to 1818 His Majesty's Government held that for American vessels to load with fish not caught or cured by people of United States of America was illegal, and that in 1807 His Majesty's ship "Adonis" seized two American vessels for so doing. See despatch, Governor Holloway to Sir Stephen Cotterell, 9th September, 1807. If Americans contend that only regulations and laws in force at the time of signing 1818 Treaty applies to them, they are barred by this fact from setting up the right to hire Newfoundlanders. Committee cannot admit that Treaty of 1818 gives Americans right to use purse seines, and are unable to depart from position taken that Americans coming within local jurisdiction are subject to all laws that apply fishermen of this Colony. They consider that as Treaty is antiquated and conflicts with national interest, its abrogation would only be in accordance with precedent established by American Government in matter of Clayton-Bulwer Treaty of 1850. They do not consider they should be called upon to choose between (engagement?) of crews by Americans and use of purse seines by them, as Americans have no right to either one or the other, and both involve a breach of the laws of the Colony. They again guarantee that if they are left unhampered by His Majesty's Government in enforcing laws of this Colony, there will be no breach of the peace, and they consider a *modus vivendi* entirely unjustifiable and unnecessary. Full minute goes by post.—MACGREGOR.

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* No. 78.

† Enclosure in No. 76.

No. 81.

House of Commons, August 6, 1907.

SIR HOWARD VINCENT asked the Under Secretary of State for the Colonies what was the present position of affairs as regards the fisheries question on the shores of Newfoundland, and the American claims regarding it; when further papers upon the matter would be laid upon the table; and if His Majesty's Government were acting in the question in strict consonance with the advice of the Government of the premier British Colony.

SIR EDWARD GREY, in reply, said: "I would refer the honourable Member to the answer returned to the honourable Member for Gravesend on the 1st of August.* His Majesty's Government can give no promise that they will lay further papers on the subject of the Newfoundland fisheries in the present stage of the negotiations. They are in communication with the Newfoundland Government."

SIR HOWARD VINCENT: "Will papers be eventually laid, and will the House have an opportunity of considering the matter?"

SIR EDWARD GREY: "I cannot say when the negotiations will come to an end."

No. 82.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL OF CANADA.

(Sent 5.25 p.m., August 8, 1907.)

TELEGRAM.

[*Answered by No.* 86.]

Fishery dispute between United States and Newfoundland.

As your Prime Minister is aware, Newfoundland Government expressed desire for reference of dispute to the Hague Tribunal. American Government have now declared that they cannot acquiesce in proposals which, after consulting Sir R. Bond, His Majesty's Government have made to them for amicable settlement of dispute and which went further than Bond wished; and they also have asked that pending questions under Treaty of 1818 may be referred to the arbitration of the Hague Tribunal.

We are of opinion that it would be out of the question to refuse this proposal, pressed upon us as it is both by Newfoundland and the United States Government, but before replying to United States we should be glad to learn whether your Government agree in principle. If so, you will be further consulted in due course in regard to terms of reference, procedure, costs, &c.—ELGIN.

No. 83.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received August 10, 1907.)

MY LORD, Government House, St. John's, August 1, 1907.

I HAVE the honour to transmit herewith copy of a Minute of Committee of

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* No. 79.

Council which I have received at the moment of departure of the mail. A *résumé* of this Minute will be despatched to-morrow morning by telegraph.*

I have, &c.,
WM. MacGREGOR.

Enclosure in No. 83.

Minute of the Committee of the Honourable the Executive Council, submitted for the approval of His Excellency the Governor.

The Committee of Council have taken into consideration the cablegram of date 24th instant, received by His Excellency the Governor from the Right Honourable the Secretary of State for the Colonies, together with the correspondence that passed between the Secretary of State and the Prime Minister of this Colony in relation to the conduct of the fisheries by United States fishermen on the Treaty Coast of Newfoundland. They entirely approve the position taken by the Prime Minister in that correspondence, viz., that this Government cannot be consenting parties to any limitation, suspension or abrogation of the laws of this Colony in favour of United States citizens. For reasons fully set forth in previous minutes they still object to the *modus vivendi* of 1906, and consider that they are the best judges, and not the United States Government, as to whether or not it can be continued "without causing any real hardship to the Colony," and they respectfully protest against a continuance of the same. This Government has proposed to submit all questions arising out of the Treaty of 1818 to the Hague Tribunal, and has consented to the offer contained in the despatch from the Foreign Office to the American Ambassador under date 20th June, viz., "to communicate a copy of all the regulations that are now in force, and if there is anything in these regulations which the United States Government feel to bear hardly upon the American fishermen, to pay the utmost consideration to any American representations on the subject, with a view to the amendment of the regulations in the sense desired, provided that such be consistent with the due preservation of the fishery." Further than this they cannot go. As the fishery does not commence until October, they submit there is ample time for examination of the regulations and for the amendment of the same, before that date. If the United States Government are not prepared to act in accordance with this liberal proposal, then they consider that it cannot be regarded as unreasonable that this Government should insist, pending the decision of the Hague Tribunal, that United States citizens should conform to those laws that are equally binding upon the citizens of both countries, and that hitherto have been enforced for the preservation and continuance of the fisheries.

With respect to the employment of Newfoundland fishermen, they would point out that His Majesty's Government, prior to the Treaty of 1818, held that for American vessels to load "with fish not caught or cured by the people of the United States" was unlawful, and reference to despatch from Governor Holloway to Sir Stephen Cotterell, dated 9th September, 1807, will show that H.M.S. "Adonis" seized two American vessels upon receiving information that they were so laden. It has been contended by the American Government that they are only bound by regulations and laws in existence at the time of the signing of the Treaty of 1818. Granting, for the sake of argument, this contention to be correct, even then they are effectively barred from setting up as a right the procuring of fish within territorial waters by the labour of other than American citizens.

The Committee cannot admit that the Treaty of 1818 gives the right to Americans to use purse-seines within the waters of this Colony, and they are unable to depart from the position previously taken that when American vessels come within territorial waters they are subject to all laws that apply to the fishermen of this Colony. His Majesty's Government considered it desirable in the interests of the Emipre, as well as of this Colony in particular, to rid the Colony in 1904 of the condition of things that arose out of the Treaty of Utrecht. As a no less intolerable position has been created by the aggressive conduct of American citizens visiting these shores by virtue of the Treaty of 1818, and a course is being pursued by them which conflicts with national interests, the abrogation of that antiquated

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* See No. 80.

Treaty would only be in accordance with the precedent established by the United States Government in the matter of the Clayton-Bulwer Treaty of the 19th April, 1850. The Committee do not consider that they should be called upon to express a choice between the shipping of crews by Americans and the use by them of purse-seines, inasmuch as the Americans have no right to either, both involving a breach of the laws of the Colony. They again guarantee that if they are left unhampered by His Majesty's Government in the enforcement of the laws of the Colony there will be no breach of the peace, and they consider a *modus vivendi* entirely unjustifiable and unnecessary.

R. Bond,
Colonial Secretary.

August 1, 1907.

No. 84.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 2.45 p.m., August 10, 1907.)

Telegram.

[*Answered by No.* 85.]

August 10. Your telegram, 2nd August, Newfoundland fishery.* Your Government having proposed a reference to the Hague Tribunal, His Majesty's Government accept that proposition and will be prepared to take steps accordingly. But your Government is under a misapprehension if it supposes that it would be possible to secure a decision by the Hague Tribunal on the points involved and described in your telegram before next fishery season. It will take a considerable time to adjust the preliminaries, to prepare the cases on both sides, and to argue them before the Tribunal. Under these circumstances, some arrangement for the next fishery season is imperative. The United States Government have announced their views and I cannot agree that it is possible to ignore both the alternatives suggested by them without risking a breach of the peace. His Majesty's Government have, therefore, proposed a *modus vivendi* on the same lines as for last season, but excluding the right to use purse seines. I should have preferred that the provision necessary to secure a *modus vivendi* during the interval until the decision of the Hague Tribunal is obtained should be the act of the Colonial Government and Legislature, but, in the absence of any assurance to this effect, His Majesty's Government must proceed to take whatever measures are necessary to provide for it, as Imperial interests of great importance are involved.—Elgin.

No. 85.

The GOVERNOR to the SECRETARY OF STATE.

(Received 4.10 p.m., August 14, 1907.)

Telegram.

[*Answered by No.* 87.]

I have been requested by my Ministers to transmit to you the following message:—

> "With reference to your telegram of the 10th of August,† and mine of the 2nd instant,* my Ministers are pleased to observe that His Majesty's Government have accepted their proposal to refer all questions arising out of the Treaty of 1818 to the Hague Tribunal, and will be prepared to take steps accordingly. My Ministers did not suppose that it would be possible to secure a decision of the Hague Tribunal before October next, and, therefore, suggested that it could not be regarded as unreasonable that pending the decision of said Tribunal, United States citizens should conform to such local laws and regulations as are equally binding on citizens of both States, and that heretofore have

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* No. 80.

† No. 84.

been enforced for the preservation and the continuance of the fisheries. It is observed from your telegram of 10th August,* that the United States Government have announced their views, submitting alternatives, and that His Majesty's Government have proposed a *modus vivendi* on the same lines as that for last season. In view of the assurance contained in your Lordship's letter of the 18th June† to the Prime Minister "that His Majesty's Government are extremely anxious to act in consonance with the Government of this Colony, and do nothing to impair its authority," it is with the keenest disappointment and regret that my Ministers observe that His Majesty's Government have again proposed a *modus vivendi* to the United States Government without first submitting the terms of the said proposal for the consideration and approval of the Government. My Ministers were advised that United States Government considered that *modus vivendi* of 1906 could be continued "without causing any real hardship to the Colony." They respectfully protested against such continuance, and feel it most humiliating that American Government view of this matter has been accepted, whilst their views have been totally ignored. This is to be regretted, for if a *modus vivendi* had not been then proposed, in view of the assurance now given by His Majesty's Government that all questions arising out of the Treaty of 1818 shall be submitted to the Hague Tribunal, and that Imperial interests of great importance are involved at this time, my Ministers would have readily adopted a course obviating any necessity for the unprecedented and objectionable course upon which His Majesty's Government intimate it is their intention to proceed."

—MacGregor.

No. 86.

The GOVERNOR-GENERAL OF CANADA to the SECRETARY OF STATE.

(Received 8.10 p.m., August 14, 1907.)

Telegram.

Referring to your telegram of the 8th August,‡ respecting the fishery question, opinion is still entertained by my responsible advisers that the Treaty of 1818 concerning right of American fishermen in British waters is clear and without ambiguity. Since, however, Government of Newfoundland has expressed a wish for reference of the dispute to the Hague Tribunal they deem it their duty to assist Newfoundland, and to agree to such a reference.—Grey.

No. 87.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 5.40 p.m., August 16, 1907.)

Telegram.

[*Answered by No.* 88.]

Your telegram 14th August,§ Newfoundland fisheries. His Majesty's Government much regret that your Ministers should feel disappointment at intimation of terms of proposed *modus vivendi* contained in my telegram 10th August,* without submission to them, but they cannot admit that such disappointment is justified. In my telegram of 23rd July,‖ I explained in detail the grounds on which His Majesty's Government considered the conclusion of a *modus vivendi* imperative, and I invited the views of your Ministers as to its terms, with special reference to the use of purse-seines and employment of Newfoundland fishermen. Much to the regret of His

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* No. 84. † See No. 4 in Appendix. ‡ No. 82. § No. 85. ‖ No. 78.

Majesty's Government your Ministers in the minute forwarded by your despatch of 1st August* declined to accept the principle of a *modus vivendi* and offered no advice as regards its terms.

His Majesty's Government feel assured that your Ministers on reconsideration will realise that every effort has been made to obtain their advice and co-operation in framing a *modus vivendi*, and they trust that your Ministers will not hesitate to give assurance of taking such steps as may be necessary to secure carrying out of *modus vivendi* when concluded.

The *modus vivendi* should closely adhere to the wording of that of last year with the important omission of the use of purse-seines: but assuming it took the form of an agreement with the American Government an undertaking by your Ministers not to put in force the provisions of the Colonial law which conflict with the *modus vivendi*, or if this be considered undesirable a short Act of the Colonial Legislature would be all that would be necessary to make it effective for the interval necessary to secure the decision of the Hague Tribunal.

I think such a course would be consistent with the suggestion made in the last words of your telegram of 14th August,† which I welcome. Would your Ministers agree?

His Majesty's Government have secured the consent of the Canadian Government to arbitration, and pending the settlement of the whole question by the Hague Tribunal they greatly deprecate even the appearance of differences between them and the Newfoundland Government as to Colonial rights.—ELGIN.

No. 88.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8 a.m., August 21, 1907.)

TELEGRAM.

[*Answered by No.* 89.]

My responsible advisers reply as follows to your telegram of the 16th of August‡:—

> "Ministers submit that there was nothing in your telegram of 23rd July§ indicating the intention of His Majesty's Government to propose a *modus vivendi* to the United States Government without first laying its terms before the Government of this Colony, and they could not have conceived it possible that such would be done in view of the address adopted by both branches of legislature last session. In the telegram above mentioned the Prime Minister was asked to express an opinion as to whether the use of purse seines would be less objectionable than the employment of Newfoundland fishermen by Americans. His Majesty's Government were already in possession of the opinion of the Prime Minister, for, during a conference with the Secretary of State and Foreign Minister, he had stated that purse seines could not be used successfully by Americans, and he most strongly protested against the employment of local fishermen. Further, His Majesty's Government were aware that Prime Minister pressed for assent to the Act of 1906 so as to prevent more effectively the employment of local fishermen by Americans. There could be no doubt, therefore, as to his views on the question. My responsible advisers having been consulted, a reply was forwarded that both would constitute a violation of the law, and that they could not be parties to one or the other, but they suggested that in view of the reference to the Hague Tribunal, the Americans might reasonably be expected to comply with the regulations during the coming season, which were equally binding on fishermen of both countries. No reply was vouchsafed to this suggestion, but there followed your announcement that a *modus vivendi* had been proposed on the same lines as that of last year. While most desirous of rendering all possible assistance to His Majesty's Government in

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* No. 83. † No. 85. ‡ No. 87. § No. 78.

> view of your statement that Imperial interests of great importance are involved at this time, my responsible advisers cannot agree to pass legislation confirming such an arrangement as you have proposed to United States Government, but if the proposed arrangement is withdrawn, they will permit Americans to purchase herring on the Treaty Coast as heretofore pending the decision of the Hague Tribunal, provided that they agree to pay $2 a barrel for the same. This will obviate the necessity of any *modus vivendi*, and my Ministers have reason to believe would be readily accepted by American fishermen. The minimum price accepted by the Fishery Rule is now $1¼. They propose amending that Rule and making the price $2."

I earnestly recommend above proposal to your Lordship's favourable consideration; price of all fish is now higher than when Rule was passed.—MacGregor.

No. 89.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 8 p.m., August 21, 1907.)

Telegram.

[*Answered by No.* 90.]

Your telegram, 20th August.* His Majesty's Government regret that they are quite unable to accept the view of your Ministers as to conduct of negotiations and consider that language of my telegram of 23rd July† clearly indicated that *modus vivendi* must be concluded and that either purse seines or employment of Newfoundland fishermen must be conceded. His Majesty's Government were aware that your Premier was opposed to both concessions and desired to ascertain authoritatively which would be the less unsatisfactory to your Government.

His Majesty's Government are, however, glad to receive the suggestion of your Ministers for a *modus vivendi*, but they are not quite clear as to what is proposed. Is it intended to revive the system in force under the Foreign Vessels Act of 1893‡ and to issue licences to American vessels at $1.50 per registered ton and to permit them to employ Newfoundland fishermen to catch fish for them, but to add to the conditions in force under this Act obligation to pay 2 dollars a barrel for fish purchased direct from Newfoundland fishermen or caught for Americans by Newfoundland fishermen? If this is the case they will endeavour to secure acceptance though they feel some doubt whether at so late a stage of the proceedings the American Government will be prepared to accept it.—Elgin.

No. 90.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.40 a.m., August 23, 1907.)

Telegram.

[*Answered by No.* 92.]

The following is the text of a minute received to-day in reply to your telegram of 21st August§ :—

> "Referring to your telegram of yesterday's date, my Ministers have never disputed that the language of your telegram of 23rd July† indicated that a *modus vivendi* was considered to be necessary by His Majesty's Government. It clearly appeared thereby that the American Government had proposed a continuance of last year's *modus vivendi* and that His Majesty's Government were prepared to acquiesce in that proposal; hence the reason why my Ministers intimated that they objected to such renewal. They must still adhere to the position that there was nothing in your telegram of the

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* No. 88.   † No. 78.   ‡ See pp. 50 and 51 of [Cd. 3262].   § No. 89.

23rd of July* to indicate that a *modus vivendi* would be proposed by His Majesty's Government without its being first submitted to the Government of this Colony. That not having been done they consider that they have good reason for complaint. So far as the prosecution of fishery is concerned, there was no necessity whatever for hurrying the negotiations, and nearly two months must even now elapse before the fishery referred to will commence. My Ministers do not suggest a *modus vivendi*; they propose to obviate the necessity for such by giving an undertaking to His Majesty's Government to permit Americans visiting the Treaty Shore to purchase cargoes of herring as heretofore, it being understood that they shall pay the minimum price of two dollars per barrel therefor instead of one dollar twenty-five cents as formerly; this permission to continue pending the decision of Hague Tribunal before which all questions arising under the Treaty of 1818 are to be referred without delay.

"Heretofore, special licences were issued under the Bait Act to American vessels visiting the Treaty Shore to purchase herring for export for food. A bond had to be given by the captain of the vessel that he would pay 1 dollar 25 cents per barrel for same and comply with standard measurement of 32 gallons to the barrel. Ministers' proposal will simply necessitate the issue of such special licence and a change in form of bond from 1 dollar 25 cents to 2 dollars. No tonnage fee will be charged."

MacGregor.

No. 91.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.45 p.m., August 30, 1907.)

Telegram.

[*Answered by No.* 98.]

I have laid before Ministers a telegram received from Mr. Bryce stating that he has been informed by the United States Government that the unarmed revenue cutter "Gresham" sails on 1st September for Canadian and Newfoundland waters, conveying Mr. Alexander, of the United States Fisheries Protection Department, to advise American fishermen, as was done last year, and requesting that facilities and courtesies may be afforded to the ship and the officers.

My Ministers take up the position that if the proposal submitted to His Majesty's Government with reference to the conduct of the fishery upon the Treaty coast during coming season is accepted, the presence of United States cutter is absolutely unnecessary, and would only prove a source of irritation. If the proposal is not accepted, then they assume that the presence of that cutter in the territorial waters of this Colony is in connection with a *modus vivendi* arranged between His Majesty's Government and the United States of America, and as they cannot be consenting parties to the *modus vivendi* outlined in your telegram of 10th instant,† they must respectfully protest against the establishment of a dual authority in Newfoundland waters, which the presence there of the cutter "Gresham" would constitute.

I concur with my responsible advisers that the American cutter would be unnecessary were the proposal accepted.

I have sent the following message to Mr. Bryce:—

> "Your telegram of the 26th of August. My Ministers have submitted proposals for next season's fishery which, if accepted by the United States Government, would, in their opinion, make the presence of American cutter unnecessary and not desirable. If proposals are not accepted Ministers protest against the dual authority that would be instituted by presence of American cutter in Newfoundland waters."

MacGregor.

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* No. 78.

† No. 84.

No. 92.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent August 30, 1907.)

TELEGRAM.

[*Answered by No.* 95.]

United States Ambassador refuses your Prime Minister's suggestion contained in your telegram of 22nd August,* as it comes too late, and United States fishermen have already started for the fishery.

In these circumstances we are telling the United States Government, who have for some time been urgently pressing upon us the necessity of letting their fishermen know what preparations they are to make for the fishing season, that the conditions will be the same as those of last year, with the exception of the right to use purse seines.

In these circumstances are your Ministers prepared to accept this arrangement, and to refrain from enforcing the provisions of the laws of the Colony which conflict with it, or, if they deem it necessary, to legislate to enable the *modus vivendi* to be carried into effect?

His Majesty's Government consider it absolutely essential that *modus vivendi* on these terms should be carried out as the only means of providing a fair working arrangement for the coming season pending arbitration.

Telegraph reply at earliest possible moment, before Monday at latest.—ELGIN.

No. 93.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, August 31, 1907.

As it has been decided, with the concurrence of the Government of the Dominion of Canada, to submit to arbitration the questions at issue between His Majesty's Government and the Government of the United States of America with regard to the interpretation of the fishery clauses of the Treaty of 1818 between Great Britain and the United States, I have the honour to request that you will ask your Ministers to be so good as to prepare a draft of the terms of reference to the Hague Tribunal for consideration by His Majesty's Government, and for submission to the Government of the United States.

2. As the Government of the Dominion of Canada has expressed its willingness to co-operate with your Government in the conduct of the arbitration, I shall be glad if your Ministers will consult with the Dominion Government in drawing up the terms of reference, and also as to the mode in which the expenses of the arbitration will be defrayed.

3. A despatch† in similar terms has been addressed to the Governor-General of Canada.

I have, &c.,
ELGIN.

No. 94.

THE SECRETARY OF STATE to THE GOVERNOR-GENERAL OF CANADA.

MY LORD, Downing Street, August 31, 1907.

As it has been decided, with the concurrence of Your Excellency's Government, to submit to arbitration the questions at issue between His Majesty's Government and the Government of the United States of America with regard to the interpretation of the fishery clauses of the Treaty of 1818 between Great Britain and the United States, I have the honour to request that you will ask your Ministers to be so good as to draw up, in consultation with the Government of Newfoundland, a draft of the terms of reference to the Hague Tribunal for the consideration of His Majesty's Government, and for submission to the Government of the United States.

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* No. 90.

† No. 94.

2. Your Ministers will also no doubt desire to consult with the Newfoundland Government as to the mode in which the expenses of the arbitration will be defrayed.

3. A similar despatch* has been addressed to the Governor of Newfoundland.

I have, &c.,
ELGIN.

No. 95.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3.15 p.m., September 1, 1907.)

TELEGRAM.

[*Answered by No.* 96.]

In reply to your telegram of the 30th August,† I have received a letter from my Ministers of which a *résumé* follows:—

> "My Ministers deeply regret that their proposal, which was made as an honourable compromise, has not been accepted. They do not understand how the proposal can be said to be too late, as the fishery does not begin for four or five weeks from now, and the vessels cannot have started yet. They fear that Mr. Alexander may advise the American fishermen that they may with impunity violate the statute laws of this Colony.
>
> My Ministers feel most acutely the manner in which their representations have again been received by His Majesty's Government; they made clear their position in regard to the *modus vivendi* in their minutes of the 1st, 20th, and 22nd of August,‡ to which they adhere, and they cannot consent to the overriding of the constitution of this Colony and the suspension of its laws. My Ministers, however, still desire to aid His Majesty's Government as far as possible consistently with their duty to this Colony, and the preservation of its rights; they will, therefore, grant permission to the fishermen of the Treaty Coast to sell to Americans during the coming season on the receipt of an assurance from His Majesty's Government that the terms of reference to the Hague Tribunal shall include the question of the right of American vessels to fish or trade in any of the bays, harbours, or creeks of that portion of Newfoundland Coast between Cape Ray and Quirpon Islands, together with all other questions that may be raised under the Treaty."

—MACGREGOR.

No. 96.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.15 p.m., September 2, 1907.)

TELEGRAM.

[*Answered by No.* 99.]

Your telegram, 1st September.§ It will be necessary to refer to United States Government the question of the terms of arbitration; but provided that your Government now accept proposed *modus vivendi*, His Majesty's Government would favourably consider the reference to arbitration of question of bays. I do not, however, gather from your telegram whether your Ministers propose to accept *modus vivendi*, and to permit American vessels to employ Newfoundland fishermen on terms mutually arranged, or merely to allow Newfoundland fishermen to sell fish to Americans.

There is no chance of American Government accepting any arrangement under which American vessels not allowed to employ Newfoundland fishermen.

Please reply immediately as American vessels have already sailed, and the arrangements must be concluded at once.—ELGIN.

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* No. 93. † No. 92. ‡ See Nos. 83, 88 and 90. § No. 95.

No. 97.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5.45 p.m., September 2, 1907.)

TELEGRAM.

[*Answered by No.* 99.]

My telegram of to-day.* If *modus vivendi* accepted United States Ambassador says he will add to his Note that his Government would be quite willing to give the most favourable consideration to any arrangement which your Ministers might make with American fishermen on arrival in modification or supersession of *modus vivendi.* Trust this proves satisfactory to your Ministers in view of last paragraph of your telegram 20th August.†—ELGIN.

No. 98.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.48 p.m., September 3, 1907.)

TELEGRAM.

Your telegram, 30th August.‡ You will have learned from my telegram, 30th August,§ that United States Government have refused your Ministers' proposal on ground that vessels have already started for fishery, and that His Majesty's Government have consented to adhere to arrangement in force in 1906 subject to omission of right to use purse seines. We cannot prevent despatch of "Gresham" to Newfoundland waters; the only question, therefore, which arises is the treatment to be accorded to it. To refuse ordinary courtesies would cause bad feeling which it is especially desirable to avoid during negotiation of Arbitration Treaty, and might further involve withdrawal of courtesies accorded to British naval vessels in United States waters. In any case it is not desirable that an opportunity should be given to United States Government to represent to an arbitral tribunal that Newfoundland in any respect refuses to act in accordance with the comity of nations. I earnestly hope, therefore, that Ministers will reconsider their attitude.

With all deference to your Ministers we cannot see why they should so strongly object to presence of responsible American official during fishery; he will be useful in preventing improper action by American fishermen, and he will be able to sift any alleged grievance of American fishermen before it is brought to notice of United States Government.—ELGIN.

No. 99.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 1.5 a.m., September 4, 1907.)

TELEGRAM.

[*Answered by No.* 100.]

In reply to your telegrams of the 2nd September,‖ my Ministers have requested me to transmit the following message to you:—

> "Referring to your telegrams of 2nd instant,‖ my Ministers cannot accept the *modus vivendi.* It must be apparent to His Majesty's Government that their proposal contained in my telegram of 1st instant,¶ entirely obviates any necessity for the same as it permits Americans to purchase herring on Treaty Coast as they did prior to 1904. My Ministers find it difficult to conceive what more can be desired."

—MACGREGOR.

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* No. 96. † No. 88. ‡ No. 91. § No. 92. ‖ Nos. 96 and 97. ¶ No. 95.

No. 100.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4 p.m., September 6, 1907.)

TELEGRAM.

His Majesty's Government have received with much regret the reply of your Ministers, contained in your telegram of 3rd September, to my telegrams of 2nd September.* Whatever might be the objections which could be urged against the conclusion of a *modus vivendi* last year, they do not consider that such objections can be held valid with regard to a *modus vivendi* made expressly with the purpose of tiding over the time which must necessarily elapse before the decision of the Hague Tribunal is obtained. That the terms of the *modus vivendi* should not have been acceptable to your Ministers they much regret, but some concession to the United States Government was imperative, and by my telegram of 23rd July† your Prime Minister was so informed, and expressly invited to advise as to whether he preferred to permit the United States fishermen to use purse seines or to employ Newfoundland fishermen. No reply was received to this express enquiry, and His Majesty's Government, in view of the language used by your Prime Minister during the discussion in London, and of the danger of conflicts between Newfoundland and American fishermen should the latter try to use purse seines, and thus interfere with the fishing of the former, therefore decided to forbid the use of purse seines, thus securing a much more favourable arrangement for your Government than was the case last year. Further, His Majesty's Government have obtained an undertaking from the United States Government to consider favourably any arrangement made by your Ministers with the American fishermen on arrival in modification of, or in supersession of, the *modus vivendi*, and they gather from your telegram of the 30th August‡ that your Ministers contemplate an arrangement satisfactory to both parties.

His Majesty's Government, therefore, hope that the Newfoundland Government will loyally co-operate in making effective the *modus vivendi*, the conclusion of which can no longer be delayed in view of the representations of the United States Government. It should be clearly understood that the *modus vivendi* confers no immunity on Newfoundlanders who disobey the laws of the Colony, but merely secures the American vessels unimpeded exercise of Treaty Rights pending the decision of the Arbitral Tribunal as to the extent of Colonial jurisdiction. I may add that His Majesty's Government will urge the United States Government to submit to arbitration any point on which your Government and the Government of Canada are agreed. They cannot, however, give a pledge as to any one point until the views of the Dominion Government are known.

I will send text of *modus vivendi* as soon as it is available.—ELGIN.

No. 101.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.20 p.m., September 7, 1907.)

TELEGRAM.

Referring to my telegram of yesterday's date,§ following *modus vivendi* as embodied in Note from United States Ambassador has been concluded:—

1. It is understood that His Majesty's Government will not bring into force the Newfoundland Foreign Fishing Vessels Act of 1906, which imposes on American fishing vessels certain restrictions in addition to those imposed by the Act of 1905, and also that the provisions of the first part of Section 1 of the Act of 1905, as to boarding and bringing into port, and also the whole of Section 3 of the same Act, will not be regarded as applying to American fishing vessels.

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* Nos. 99, 96 and 97. † No. 78. ‡ No. 91. § No. 100.

2. In consideration of the fact that the shipment of Newfoundlanders by American fishermen outside the three mile limit is not to be made the basis of interference nor to be penalised, my Government waives the use of purse seines by American fishermen during the term governed by this agreement, and also waives the right to fish on Sundays.
3. It is understood that American fishing vessels will make their shipments of Newfoundlanders as fishermen sufficiently far from the exact three mile limit to avoid reasonable doubt.
4. It is further understood that American fishermen will pay light dues when not deprived of their rights to fish, and will comply with the provisions of the Colonial Customs Law as to reporting at a Custom House when physically possible to do so.

But my Government has every desire to make the arrangement, pending arbitration, as agreeable as possible to the Newfoundland authorities, consistent with the due safeguarding of Treaty Rights which we have enjoyed for nearly a century. If, therefore, the proposals you have recently shown me from the Premier of Newfoundland or any other changes in the above *modus vivendi* should be proposed by mutual agreement between the Newfoundland authorities and our fishermen, having due regard to the losses that might be incurred by a change of plans so long after preparations for the season's fishing had been made, and the voyage begun, my Government will be ready to consider such changes with you in the most friendly spirit, and if found not to compromise our rights, to unite with you in ratifying them at once.

Please communicate at once to your Ministers, but do not publish till Monday. United States Ambassador has promised to delay publication till then.—Elgin.

No. 102.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 2.40 p.m., September 9, 1907.)

Telegram.

[*Answered by Nos.* 104 *and* 108.]

With reference to my telegram of 7th September,* His Majesty's Government have had under their careful consideration the measures necessary to fulfil the undertaking given to the American Government in connection with *modus vivendi* that the shipping of Newfoundland fishermen by American vessels shall not be penalised. In doing so they are most anxious in no way to detract from your Government's control over Newfoundland fishermen, and they have, therefore, decided that it would be most satisfactory to pass an Order in Council under the Act 59, Geo. III., ch. 38, Section 1, which will forbid the serving of process on board any American vessel or arrest of any vessel or of its gear, &c. They consider that this Order, while ensuring to the Americans the undisturbed enjoyment of the fishery in accordance with the *modus vivendi*, will cause the least inconvenience to the Government of Newfoundland, as it merely gives legal sanction to the arrangement in force last year under which the fishery was conducted without serious disturbance or breach of the peace.

His Majesty's Government invite the co-operation of your Government in carrying out the Order and have instructed the Senior Naval Officer on the station to render them every assistance in maintaining the law of the Colony as modified by the Order. They will be prepared to revoke or modify its provisions immediately a satisfactory arrangement is made by the Colonial Government with the American fishermen as contemplated in the *modus vivendi*, or the *modus vivendi* is accepted by your Government.

His Majesty's Government feel compelled, however, to place on record their deep regret that they should have had no alternative in consequence of the action of your Ministers but to avail themselves of the legal powers conferred on them by the Act 59 Geo. III.

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* No. 101.

His Majesty's Government recognise to the full the inconvenience caused to the Government of Newfoundland by the treaty obligations binding upon it, but these obligations were not created by His Majesty's Government, and in 1904 this country made no inconsiderable sacrifice of territory and money in order to reduce the pressure of French treaty rights. I may remind your Ministers that in this case the Government of Canada have, in order to meet their wishes, consented to share in the arbitration, although they have already obtained a friendly understanding with the United States. His Majesty's Government consider, therefore, that they were entitled to expect your Government's co-operation in arranging a new temporary *modus vivendi* pending the decision of the Arbitral Tribunal to which, in deference to your Government's wishes, the whole question is shortly to be referred.

The Order in Council is being telegraphed separately.*—Elgin.

No. 103.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 6 p.m., September 9, 1907.)

Telegram.

Following is text of Order in Council.† It should be published at once. Please give copy of it and of *modus vivendi* to Senior Naval Officer.—Elgin.

No. 104.

The GOVERNOR to the SECRETARY OF STATE.

(Received 8.20 a.m., September 11, 1907.)

Telegram.

[*Answered by Nos.* 105 *and* 107.]

If possible, please withhold publication of the Order in Council of 9th September.‡ A full message is being sent to-morrow.—MacGregor.

No. 105.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 11.45 a.m., September 11, 1907.)

Telegram.

In reply to your telegram of the 10th September,‡ publication will be postponed pending the receipt of your further message.§ My public despatch‖ on the subject will not be sent until the mail of next week.—Elgin.

No. 106.

The SECRETARY OF STATE to the GOVERNOR.

Sir, Downing Street, September 11, 1907.

With reference to my telegram of the 9th of September,¶ I have the honour to transmit to you, to be laid before your Ministers, copies of an Order in Council of the 9th instant, giving directions with regard to the taking, drying, and curing of fish by the inhabitants of the United States of America in common with British subjects on the coasts of Newfoundland.

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* See No. 103. † See No. 106. ‡ No. 104. § No. 108. ‖ No. 117. ¶ No. 103.

I have, &c.,
ELGIN.

At the Court at Buckingham Palace.

The 9th day of September, 1907.

PRESENT:

The King's Most Excellent Majesty.
Lord President.
Lord Denman.
Sir Charles Hardinge.
Mr. Harcourt.

Whereas, under the provisions of Article I. of a Convention concluded at London on the 20th day of October, 1818, the inhabitants of the United States of America have the liberty of taking, drying, and curing fish in common with British subjects on certain parts of the coasts of Newfoundland:

And whereas by Section I. of an Act passed in the fifty-ninth year of His late Majesty King George III. it is enacted that it shall and may be lawful for His Majesty, by and with the advice of His Majesty's Privy Council, by any Order or Orders in Council, to be from time to time made for that purpose, to make such regulations, and to give such directions, orders, and instructions to the Governor of Newfoundland, or to any officer or officers on that station, or to any person or persons whomsoever, as shall or may be from time to time deemed proper and necessary for the carrying into effect the purposes of the said Convention with relation to the taking, drying, and curing of fish by the inhabitants of the United States of America, in common with British subjects, within the limits set forth in the said Article of the said Convention, any Act or Acts of Parliament, or any law, custom, or usage to the contrary notwithstanding;

And whereas by an Order in Council made on the 19th June, 1819, in pursuance of the powers vested in His Majesty by the said Act, certain directions were given to the Governor of Newfoundland,

And whereas His Majesty by and with the advice of His Majesty's Privy Council deems it proper and necessary for the carrying into effect the purposes of the said Convention, to give further directions with relation to the taking, drying, and curing of fish by the inhabitants of the United States of America in common with British subjects on the coasts of Newfoundland:

Now therefore, His Majesty, in pursuance of the powers vested in His Majesty by Section I. of the Act 59 George III., cap. 38, by and with the advice of His Majesty's Privy Council is pleased to order and it is hereby ordered as follows:—

I. No provisions, rules, or enactments which may be in force with regard to the boarding and bringing into port of foreign fishing vessels found in the waters of Newfoundland shall, within the limits prescribed by the said Convention of 1818, apply to vessels in which inhabitants of the United States of America resort to the waters of Newfoundland for the purpose of exercising the liberty assured to them by Article I. of the said Convention.

II. If any question should arise before any Magistrate, Justice of the Peace, Judge or Court in Newfoundland, in relation to, concerning, or in anywise in respect of the presence on board any such vessel of any caplin, squid, or other bait fishes, or of ice, lines, seines, or other outfit or supplies for the fishery, the burden of proof that the said bait fishes and supplies and outfits have been purchased within the waters of Newfoundland shall rest upon the person or persons alleging the same.

III. It shall not be lawful for any person without the consent of His Majesty's Senior Naval Officer on the Newfoundland Station, in any proceedings against inhabitants of the United States exercising or claiming to exercise the liberty to take fish assured to them by the First Article of the Convention of 1818, or against any of their boats or vessels or against any persons engaged by them to form part of the crew of the vessels used or employed by such inhabitants in the exercise of such right.

A. To serve any process of law upon any boat or vessel so used or employed for any act or thing done in the exercise or alleged exercise of the said right, or which may, in the opinion of the said Naval Officer, give rise to any question or dispute in relation to the common fishery established or referred to in the said Convention, or to go on board any such vessel or boat for the purpose of serving such a process.

B. To arrest or seize any such vessel or boat or to seize, remove, or disturb any gear, nets, apparel, or other furniture or stores belonging to such vessel or boat.

IV. This Order shall commence and come into operation forthwith.

V. The Governor of Newfoundland, His Majesty's Senior Naval Officer on the Newfoundland Station, all Judges, Magistrates, Justices of the Peace, Constables, and all other persons whatsoever in Newfoundland shall take notice hereof and govern themselves accordingly.

A. W. Fitzroy.

No. 107.

The SECRETARY OF STATE to the GOVERNOR.

Sir, Downing Street, September 11, 1907.

In my despatch of even date,* I had the honour to transmit to you, for the information of your Ministers, copies of the Order of His Majesty in Council of the 9th of September, regarding the Newfoundland Fisheries. As you have been informed, however, in my telegram of this date,† it is not proposed to publish the Order in Council in this country until after the receipt of the further telegram promised in your telegram of the 10th instant,‡ forwarding the views of your Government. It should, however, be clearly understood that, unless and until formally revoked by His Majesty in Council, the Order is binding on your Government.

I have, &c.,
ELGIN.

No. 108.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.39 a.m., September 12, 1907.)

Telegram.

[*Answered by No.* 110.]

My Ministers have handed in a lengthy minute dealing with your telegrams of the 6th and 9th September,§ which my Ministers have epitomized as follows:—

> They expected that His Majesty's Government would have recognised in their proposal an honourable compromise which, while upholding the sovereignty of the Colonial law, permitted the Americans to obtain herring precisely as they had ever done prior to 1904. They point out that while their proposal would have secured the harmonious conduct of the fishery, the forcing upon this Colony of an objectionable arrangement is calculated to engender feelings of ill-will and resentment among His Majesty's subjects.
>
> They also point out that a reply to your enquiry of 23rd July‖ was sent on the 1st of August.¶
>
> They enter a protest against the submission of this Colony's case being prejudiced by Canadian Government or subjected to its approval.
>
> They observe that while telegram of 9th September,** which accompanied Order in Council, intimated the willingness of His Majesty's Government to

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* No. 106. † No. 105. ‡ No. 104.
§ Nos. 100 and 102. ‖ No. 78. ¶ No. 80. ** No. 103.

revoke or modify its provisions provided that satisfactory arrangement is made by them with American fishermen or *modus vivendi* is accepted, the initial paragraph of telegram embodying text of Order in Council directs its publication and transmission to Senior Naval Officer. They consider that they are at least entitled to reasonable time in which to consider this proposal before Order in Council is promulgated, and again point out that fishery will not commence before at least month from date and that if suggestion of His Majesty's Government is deemed practicable no negotiation could take place until arrival of American fishermen. They ask, therefore, that they be allowed reasonable time to consider what their course of action should be before publication of Order in Council in view of fact that they could not have foreseen infliction on this Colony of such humiliation, which is calculated to prejudice this Colony's case before the Hague Tribunal.

The full minute goes by the post of 12th September. I hope you may delay publication of the Order in Council and communication to the Senior Naval Officer till you have the full text.

His Majesty's ship "Brilliant" left 11th September for Halifax; it is not required at the present time here.—MacGregor.

No. 109.

The GOVERNOR to the SECRETARY OF STATE.

(Received September 14, 1907.)

[*Answered by No.* 113.]

My Lord, Government House, St. John's, September 2, 1907.

I have the honour to transmit, for your information, copy of a letter, dated 31st August, which I received from my Prime Minister.

Your Lordship will not fail to notice that while my Ministers adhere to the principles they have hitherto maintained in regard to the binding force of the laws of this Colony on American fishermen in the territorial waters of Newfoundland; and while they continue to think that their representations with regard to the *modus vivendi* have not received the attention and consideration to which they were entitled, yet they are at the same time desirous of lending every assistance to His Majesty's Government in this difficult and complicated case, which is declared by your Lordship to involve important imperial interests. It is in this spirit, and in full confidence of a favourable result to this Colony if the whole question is submitted to the Hague Tribunal, that my Ministers now propose what they deem to be a practical working arrangement for next season's fishery, under which operations should be carried on temporarily without friction, and, of course, without prejudice to the merits of the case for this Colony before the International Tribunal.

2. It may be presumed that neither His Majesty's Government nor that of the United States would desire to withhold any part of the case from consideration, a complete and full representation of which is clearly necessary and desirable in order to arrive at finality, and to save future misunderstanding. Your Lordship is, for example, aware that my Prime Minister has consistently disputed the right of American fishermen to fish or trade in the bays, harbours, and creeks of the West Coast, a point of great importance on which special stress is laid in the letter copy of which is enclosed.

I would, therefore, respectfully express the hope that your Lordship may be able to meet the strong desire of this Government that the reference to the Hague Tribunal shall cover the whole case as far as it affects the interests of this Colony.

3. I enclose copy of the reply I have addressed to my Prime Minister to his communication referred to above.

I have, &c.,
WM. MacGREGOR.

Enclosure 1 in No. 109.

Colonial Secretary's Office, St. John's, Newfoundland,
August 31, 1907.

Sir,

I have the honour to intimate that the telegram received by Your Excellency from the Right Honourable the Secretary of State for the Colonies, and which reached my hands at 11 o'clock last night, was laid before Committee of Council this morning. While the communication has occasioned your Ministers very great regret, it has not occasioned surprise, for it was all too evident to them that when, under date 10th instant, the Secretary of State announced by telegram to your Ministers that His Majesty's Government had proposed to the United States Government a *modus vivendi* on the same lines as that of last year, any proposal that might be made by your Ministers would have no effect, the requirements of the United States Government having been fully met by the acquiescence of His Majesty's Government in the proposal that was made by the United States, and it was only out of deference to the opinion expressed by Your Excellency at Council meeting on the 13th instant that your Ministers waived their views, and submitted an arrangement which they hoped might be regarded as an honourable compromise.

The announcement under review that "the suggestion of your Ministers contained in your telegram of 20th August comes too late, and the United States fishermen have already started for the fishery," can scarcely be regarded in a serious light by your Ministers, inasmuch as the suggestion was made eleven days ago, and they are aware that the fishery apparently referred to will not commence for another month or five weeks from now, and that, therefore, United States vessels cannot have "already started for the fishery" of the Treaty Coast. Even if they had "started for the fishery" the arrangement suggested by your Ministers might still have been brought into operation without embarrassment to those fishermen, for, as your Ministers have been notified by His Majesty's Government, the United States Revenue Cutter "Gresham," "conveying Mr. Alexander, of the United States Fishery Protection Department, leaves to-day to advise American fishermen as last year." Under the *modus vivendi* he will probably advise them that they may with impunity violate the statute laws of this Colony, and under the arrangement suggested by your Ministers he could have advised them that by the payment of a legitimate price for what they required an unlimited supply was at their disposal.

Your Ministers cannot but feel most acutely the manner in which their representations have been received by His Majesty's Government, and the humiliation to which they have been subjected is none the less because it is a repetition of what they experienced last year at the hands of His Majesty's Ministers.

Your Ministers had supposed that their position in relation to this *modus vivendi* was made perfectly clear in their Minutes of dates 1st, 20th, and 22nd instant. They still adhere to the position therein clearly defined, and cannot be consenting parties to the overriding of the constitution of this Colony and the suspension of its laws, but being still willing to aid His Majesty's Government to the full extent consistent with their sense of duty to His Majesty's subjects in this Colony, and in order to preserve the sovereign rights of the Colony, they will grant permission to the fishermen of the Treaty Coast to sell to the Americans during the coming season on receiving from His Majesty's Government an assurance that the Terms of Reference to the Hague Tribunal shall include the question of the right of American vessels to fish or trade in any of the bays, harbours, or creeks of that portion of the coast of Newfoundland between Cape Ray and Quirpon Island, together with all other questions that may be raised under the Treaty. Ministers desire that Your Excellency may be pleased to transmit this decision by cable to His Majesty's Government.

I have, &c.,
R. Bond,
Colonial Secretary.

His Excellency
Sir Wm. MacGregor, G.C.M.G., C.B.

Enclosure 2 in No. 109.

DEAR SIR ROBERT BOND, September 2, 1907.

WITH reference to your letter of 31st August, I have the honour to inform you that on the morning of the 1st instant I despatched the following telegram to the Secretary of State:—

[*See No.* 95.]

2. I may add that I have personally strongly advised the acceptance of the proposal contained in your letter and expressed by me in the above telegram—a proposal which appears to me wise and reasonable.

I have, &c.,
WM. MACGREGOR.

The Right Honourable
Sir Robert Bond, P.C., K.C.M.G., &c.,
Prime Minister.

No. 110.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 12.45 p.m., September 14, 1907.)

TELEGRAM.

[*Answered by No.* 119.]

Your telegram 11th September.* His Majesty's Government regret that the résumé of your Ministers' Minute which they give affords no ground justifying the revocation of the Order in Council. I am anxious, in the difficult position which has arisen, to show your Ministers all possible courtesy and consideration, but I cannot encourage any hope that the Order in Council will be revoked without publication unless your Ministers accept without reserve the *modus vivendi* and undertake to carry it out in its entirety. I will delay publication as long as possible to enable your Ministers fully to consider the situation, but I cannot consent to run any risk of further complicating the difficult international position by allowing the possibility of His Majesty's Order in Council being questioned on the ground of non-publication: and while I authorize you to withhold publication for the present, it is only on the distinct understanding that you are instructed to publish the Order in Council immediately on the arrival of the American fishermen, unless before that date your Ministers have accepted the *modus vivendi.*

Acceptance of *modus vivendi* will not prejudice modification or supersession by agreement with American fishermen.—ELGIN.

No. 111.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.22 p.m., September 15, 1907.)

TELEGRAM.

[*Answered by No.* 112.]

The "Gresham" arrived here on the 14th instant. Shall I publish the Order in Council or wait for the fishing vessels?—MACGREGOR.

No. 112.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 1.45 p.m., September 16, 1907.)

TELEGRAM.

[*Answered by No.* 119.]

Your telegram 15th September.† You should inform your Ministers arrival of "Gresham" renders it essential for you to publish Order in Council unless they are prepared to accept *modus vivendi*, and you should ask for an immediate reply, which you will at once send to me. Your Ministers should clearly understand that in the event of unfavourable reply His Majesty's Government will have no alternative but to at once publish Order in Council, a course which, though inevitable, is to be regretted, and the responsibility for which will, in the circumstances, rest on your Government.

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* No. 108. † No. 111.

If in the meantime fishing ships arrive you must, in order to avoid greater complications, publish without further instructions.—ELGIN.

No. 113.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, September 17, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the 2nd of September* on the subject of the *modus vivendi* with the United States of America regarding the fishery.

2. Subsequent telegraphic correspondence has rendered it unnecessary that I should reply in detail to your despatch, but I desire to explain that His Majesty's Government regard the proposal of your Ministers to permit the sale of fish to American fishermen as one which might well have been pressed upon the United States Government had it been made either during the negotiations in London with your Prime Minister or in reply to my telegram of the 23rd of July† inviting Sir R. Bond's views as to the proposed renewal of the *modus vivendi*. Even as it was His Majesty's Government urged the United States Government to accept the proposal as put forward in your telegram of the 22nd of August,‡ but it is no matter for surprise that that Government should have declined to adopt it, unless it was arranged locally with the American fishermen on arrival, in view of the fact that the fishermen had already made all their arrangements to conduct the fishery on the basis of employing Newfoundland fishermen and had already sailed.

3. It is, however, the earnest desire of His Majesty's Government that your Government should find it possible to arrange satisfactory terms with the United States fishermen on their arrival in Newfoundland waters, and they have impressed on the Senior Naval Officer the duty of doing all in his power to attain that end.

I have, &c.,
ELGIN.

No. 114.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received September 18, 1907.)

(Extract.)

Government House, St. John's, September 10, 1907.

I HAVE the honour to enclose, for your information, an extract from the "Evening Telegram," of St. John's, of the 9th September, which forms the leading article of that day's issue.

Enclosure in No. 114.

EXTRACT from "EVENING TELEGRAM," September 9, 1907.

SACRIFICED ONCE MORE.

The *modus vivendi* has been agreed to again by Great Britain and the United States. It is almost needless to state that it has not been assented to by the Newfoundland Government. They have resisted in every way they possibly could the finalizing and promulgation of a *modus vivendi*. But they have been overridden again, and in spite of their protests, against their advice and in spite of counter proposals, a *modus vivendi* has been made.

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* No. 109. † No. 78. ‡ No. 90.

The formal assent by the British Government to this instrument was delivered to the American Ambassador in London on Saturday night and its text appears to have been published in Washington yesterday. We presume that the Newfoundland authorities have been notified in the meantime. The despatch informs us that "the *modus* so arranged is in terms, and in fact a substantial renewal of last year's arrangement": We presume this means the *modus vivendi* of last year minus the provision about using purse-seines.

We shall be in a better position to discuss the arrangement when we have the text before us. The extraordinary feature of the situation is that the *modus vivendi* should be renewed in any shape or form, particularly after the protest of last year and the assurance given in the House of Commons by the Under-Secretary for the Colonies that it was to last but for one season. By the terms of the instrument of Saturday last the *modus* is extended not merely for another season but for an indefinite time "until the fishing question shall be settled by arbitration"; and this is in the face of the declaration last year that the *modus* was to be temporary and but for one season.

We note that the despatch declares that "the formal conclusion and publication of a *modus vivendi* was deferred pending the consideration of a proposal of Sir Robert Bond that opportunity be afforded for conference between the insular authorities and the American fishermen with a view to introduce some modification," &c. We have been informed by reliable authorities that the Premier has never made such proposal as indicated in this despatch. Sir Robert's proposals, we understand, were for a course which would render the *modus vivendi* absolutely unnecessary. We hope to-morrow to be in a position to give more information about these proposals, especially in view of the misrepresentation of the Premier's attitude by this Washington despatch.

Meanwhile our attitude is the same as last year. The "Evening Telegram" advocates the use of every constitutional weapon in resistance of the enforcement of the *modus vivendi*. If the text of the *modus vivendi* is found to be in conflict with our local law, enforce the law, and let the Imperial authorities get out of their lawlessness as best they can.

No. 115.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9.35 p.m., September 18, 1907.)

TELEGRAM.

The United States vessel "Gresham" sails for the West Coast to-morrow. I entertained Mr. Alexander and Captain Perry. They inform me that most of the American fishing vessels will come with skeleton crews and without boats. Their arrival at the West Coast depends upon the closing of the mackerel season on their own coast.—MACGREGOR.

No. 116.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, September 18, 1907.

WITH reference to my telegram of the 7th of September,* I have the honour to transmit to you, to be laid before your Ministers, copies of the notes† exchanged with the United States Ambassador on the subject of the *modus vivendi* regarding the Newfoundland fisheries.

I have, &c.,
ELGIN.

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* No. 101.

† [Cd. 3734].

No. 117.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, September 19, 1907.

HIS Majesty's Government consider it to be due to your Government as well as to themselves to place on record in a more complete form than is possible by the medium of telegrams the reasons which have led to the conclusion of the *modus vivendi* with the United States regarding the Newfoundland fisheries, and to the passing of the Order in Council of the 9th of September, of which your Government was informed in my telegrams of the 7th and 9th instant.*

2. As your Ministers are aware, His Majesty's Government and the Government of the United States of America differ fundamentally in their interpretation of the Convention of 1818 regarding the nature and extent of American fishery rights in Newfoundland waters. The details of the controversy are familiar to your Ministers, and may be summed up in the proposition that the United States Government claim that that Treaty confers upon American fishermen a right to fish in the specified waters of Newfoundland free from the exercise of any control by the Colonial Government, or at most subject only to such regulations and restrictions as were in force in 1818 at the date when the Treaty came into force, while His Majesty's Government contend that there is nothing in the Treaty to derogate from the recognised sovereignty of His Majesty in Newfoundland, and that the American fishermen are subject to all enactments and regulations for the preservation of the fishery which are applicable to the fishermen of Newfoundland.

3. In the case of a fundamental divergence of views between friendly Powers, there are no means of settling the dispute save by diplomacy or arbitration. His Majesty's Government made every effort to obtain a satisfactory solution of the question by the former method, but they cannot disguise from themselves the fact that their efforts to do so were seriously prejudiced by the fact that the United States Government were convinced that the legislation of Newfoundland in 1905 and the Bill of 1906 were designed rather as measures of retaliation than to further the preservation of the common fishery.

4. The situation was fully discussed with your Premier on his visit to England in connection with the Colonial Conference, and Sir R. Bond expressed himself as strongly in favour of a reference to arbitration before the Hague Tribunal. His Majesty's Government were prepared to accept this proposal, and ascertained from the Prime Minister of Canada that, in order to help as far as possible the Newfoundland Government, the Dominion Government would concur in the proposal, which directly affects Canada, since the fishery off the Magdalen Islands is conducted on the same terms as the Newfoundland fishery.

5. His Majesty's Government therefore undertook to approach the Government of the United States of America with a proposal for arbitration, and it was pointed out to Sir R. Bond that, pending the result of communication with that Government and the reference of the whole case to the arbitral tribunal, it would be essential to conclude a *modus vivendi* for the fishery season of 1907. It was, no doubt, logically open to His Majesty's Government to take up the position that the interpretation which they put on the Treaty was so obviously correct that they were resolved to enforce it upon American vessels regardless of the consequences. His Majesty's Government considered, however, that in a case of this kind a reference to arbitration was the proper course to take in dealing with a friendly Power, and it would not have been consistent with such an attitude on their part to insist, pending arbitration, that the United States Government should submit to conditions which would, in the opinion of that Government, have in practice made the rights of American fishermen under the Treaty worthless for the ensuing season.

6. Before Sir R. Bond left England a *modus vivendi* was drafted for submission to the Government of the United States, the terms of which were communicated to your Premier. By that proposal the United States Government was asked to abandon on behalf of their fishermen the claim to use purse seines, to fish on Sundays, and to employ Newfoundland fishermen. In return their vessels were to be exempt from light dues to the same extent as vessels registered in Newfoundland, and while they were to call at Customs Houses whenever physically possible, the duty was not to be imposed as of legal right. While ready to urge the accept-

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* Nos. 101 and 103.

ance of these proposals on the United States Government, His Majesty's Government recognised that they were hardly likely to meet with the approval of that Government, and your Premier was expressly warned that further concessions would be in all probability required.

7. As a matter of fact the United States Government declined to acquiesce in the proposed *modus vivendi* on the ground that to accept it would be to concede all the vital points in dispute. Your Government was informed of this in my telegram of the 23rd of July,* the text of which—as there has been dispute as to its exact significance—I append in full.

"We have now received answer from the United States Ambassador to our note of the 20th June,† which was shown to your Prime Minister, and a copy of which was privately sent you on the 21st June. The effect of the note is that the United States Government cannot give their acquiescence to the present proposals of His Majesty's Government which they feel would be tantamount to yielding all vital questions in dispute. In their opinion the surrender of the right to hire local fishermen, and the surrender at the same time of the use of purse seines and of fishing on Sunday would render their treaty rights worthless. We are, therefore, face to face with a reference of pending questions to arbitration, and an *ad interim* renewal of the *modus vivendi.* The United States Ambassador has proposed arbitration before the Hague Tribunal, and suggests that a conclusion to the proceedings will be reached in so short a time that last year's *modus vivendi* can be continued without causing any real hardship to the Colony. If, however, we refused to renew the agreement as to the employment of Newfoundland fishermen, they would be compelled to insist on the use of purse seines. To give up both points they would consider equivalent to abandoning altogether their treaty rights.

"From the proceedings at the Conference, and also from the correspondence which took place with me, His Majesty's Government are aware that Sir R. Bond is desirous to have all the outstanding questions settled by arbitration before the Hague Tribunal, and the United States Government are being so informed, and a communication will be addressed to you on procedure relating to that subject, but I shall be glad, in the meantime, of the observations of your Prime Minister upon the continuance of last year's *modus vivendi*, especially whether he attaches more importance to the prohibition of the employment of Newfoundland fishermen or to that of the use of purse seines. Telegraph reply."

It was the intention of this telegram—and on careful perusal of its terms I confess I think the intention was clearly expressed—to convey to your Ministers the fact that in the opinion of His Majesty's Government it was imperative to conclude some *modus vivendi* with the United States Government for the season of 1907, and to invite their opinion as to the terms of that *modus vivendi* in regard to the points to which the United States Government took exception—the prohibition of the employment of Newfoundland fishermen and of the use of purse seines.

8. The reply of your Ministers to this telegram was forwarded in your telegram of the 2nd of August,‡ and was to the effect that your Ministers declined to recognise the necessity for any *modus vivendi*, and did not consider that they should be called upon to decide, as suggested in my telegram of the 23rd of July*; upon the relative importance of prohibition of the use of purse seines and prohibition of the employment of Newfoundland fishermen. They suggested, however, that it would be possible for His Majesty's Government to abrogate the 1818 Treaty—a suggestion which it is difficult to believe can have been meant seriously, and that it would be sufficient if the Fishery Regulations were communicated to the Government of the United States in order that exception might be taken to such as seemed objectionable and the Regulations be amended if necessary before the fishery season began.

9. In my telegram of the 10th of August,§ I pointed out that the time before the opening of the fishery season at the beginning of October was much too short to allow of any decision of the Hague Tribunal being received, and your Ministers no doubt recognise that as the whole question at issue is the validity of the Regulations in question, nothing could have been effected by a mere examination and discussion of the Regulations between the two Governments in the six or seven weeks before the opening of the fishery. I therefore stated that His Majesty's Government had proposed a *modus vivendi* for 1907 on the lines of that for 1906, but excluding

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* No. 78. † Enclosure in No. 76. ‡ No. 80. § No. 84.

the right of using purse seines, and I enquired in my subsequent telegram of the 16th of August* whether His Majesty's Government could rely on the co-operation of your Government in carrying out the *modus vivendi*.

10. I may explain that in deciding on the terms of the *modus vivendi* His Majesty's Government were seriously hampered by being left in ignorance of the comparative importance attached by your Government to the question of the use of purse seines and the employment of Newfoundland fishermen. Sir R. Bond during the discussion in England took exception in the strongest terms to concession on either point, but, in deciding that the use of purse seines should be prohibited, His Majesty's Government were influenced mainly by two considerations. In the first place, while there is no doubt that the use of purse seines in the narrow bays of Newfoundland is attended by serious difficulties, it is equally clear that if deprived of the help of Newfoundland fishermen the American vessels would be forced either to return empty or to attempt to use purse seines. The effort to do so would almost inevitably have led to disputes between the American and Newfoundland fishermen, either party seeing that their means of livelihood were threatened by the action of the other, with the result that disturbances such as those at Fortune Bay in 1878, which cost Her Majesty's Government in compensation to the United States fishermen over £11,000 in addition to the sums actually refunded by the Newfoundland Government, might have broken out, embittering the feeling between the two Governments, and endangering the success of the proposed arbitration. In the second place, the use of purse seines is definitely forbidden by the law of Newfoundland, and to sanction their employment would be deliberately to override an enactment of the Colonial Legislature. But the employment of fishermen is in a different category. Whatever penalties the fishermen may expose themselves to—and on this matter I express no opinion, as the case is still *sub judice*—there appears to be nothing in the law of Newfoundland which authorises the infliction of a penalty on American vessels employing these men. To permit the hiring of Newfoundland fishermen therefore involved no breach, as far as His Majesty's Government were aware, of the law of the Colony. If, however, His Majesty's Government are wrong in the concession which they have made to the Government of the United States, it must be borne in mind that your Ministers, when consulted, refused to give advice on the subject, even under protest.

11. Even in your telegram of the 14th of August,† no reference was made to this point. Your Ministers confined themselves to protesting against the conclusion of a *modus vivendi* without submission of its terms to, and approval by, them, and they stated that, had this step been taken, they would, in view of the assurance that the questions at issue would be submitted to arbitration, and the fact that Imperial interests of great importance were involved, have readily adopted measures to render unnecessary any action by His Majesty's Government.

12. In my reply of the 16th of August,* I pointed out that in my telegram of the 23rd July,‡ I had intimated that a *modus vivendi* must be concluded, and had expressly invited your Ministers' views as to its terms, and that your Ministers were therefore wrong in considering that they had in any way been ignored. I accordingly invited their co-operation in carrying out the *modus vivendi*, and suggested either that they should undertake not to enforce so much of the Colonial laws as conflicted with the terms of the *modus vivendi*, or that they should pass legislation to give statutory sanction to the *modus vivendi* until the decision of the Hague Tribunal was secured, thus maintaining to the full the authority of the Colonial Government. I added that I had received the assent of the Dominion Government to arbitration, and that pending the settlement of the dispute by arbitration, His Majesty's Government greatly deprecated even the appearance of differences between them and the Government of Newfoundland as to Colonial rights.

13. Your Ministers' reply conveyed in your telegram of the 20th of August§ declined to accept the *modus vivendi* but, for the first time, put forward an alternative suggestion such as might be proposed to the American Government. As explained by your telegram of the 22nd of August,‖ their suggestion was that, the *modus vivendi* being withdrawn, the Colonial Government should permit American fishermen to purchase fish from Newfoundlanders at two dollars a barrel, which was 75 cents a barrel more than the market price in 1906, but which was

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* No. 87. † No. 85. ‡ No. 78. § No. 88. ‖ No. 90.

no doubt a fair price in 1907. His Majesty's Government lost no time in putting the proposal before the American Government, but the United States Ambassador replied that his Government regretted that they could not accept the offer, since the fishing fleet had already sailed. Your Ministers were so informed in my telegram of 30th August,* and I again invited them to co-operate in carrying out the proposed *modus vivendi*, which was then inevitable in view of the necessity of some arrangement being made before fishing began.

14. To the great regret of His Majesty's Government your Ministers declined to accept their invitation, and merely reiterated, in your telegrams of the 1st and 4th of September,† their readiness to permit the Americans to purchase fish if the proposed *modus vivendi* were withdrawn. They declined absolutely to allow the employment of Newfoundland fishermen by United States vessels, and His Majesty's Government had no option, since the American vessels had already started, and some arrangement was imperative, but to conclude on the 6th of September the *modus vivendi* formally suggested by the United States Ambassador on the 4th of September. But in doing so, they were able to secure a most valuable concession for your Government, for the United States Ambassador consented to add to his note an undertaking that his Government would be ready to give the most favourable consideration to any arrangement made locally between your Government and the American fishermen in modification or supersession of the *modus vivendi*. It is therefore open to your Ministers to adopt an arrangement similar to the proposal made in your telegram of the 20th of August,‡ which they stated would be readily accepted by the American fishermen.

15. Having concluded the *modus vivendi*, His Majesty's Government were under an obligation to take the necessary steps to carry out its provisions. As your Ministers are aware this was done last year, partly by the action of the Naval Officer commanding on the Newfoundland Station, and partly through the forbearance of your Ministers to press any proceedings against the Newfoundland fishermen employed by the American vessels. But such a state of affairs could not be expected to be repeated in the season of 1907, and your Ministers had definitely refused to undertake not to apply the Colonial laws to American vessels. If, then, His Majesty's Naval Officers had taken steps to enforce the *modus vivendi* by preventing say the arrest of a Newfoundland fisherman on an American vessel by an officer of your Government, his action would have been illegal, and would have exposed him to a suit in which he might have been condemned in heavy damages, which must have been paid by His Majesty's Government. His Majesty's Government were not inclined to give an opening for such complications, and they felt that it would be a deplorable incentive to lawlessness if a collision were to take place between the officers of His Majesty in his Imperial and Colonial Governments. They therefore decided that recourse should be had to the powers conferred on His Majesty in Council by Section 1 of the Imperial Act 59 G. III., c. 38, which enables His Majesty by Order in Council to issue from time to time directions for securing to the United States fishermen the rights granted them by the Treaty of 1818. This order is, however, restricted to the bare minimum necessary to secure the uninterrupted exercise by the American fishermen of their treaty right pending the decision of the Hague Tribunal as to the precise extent of that right. It does not purport to authorise Newfoundland fishermen to fish for American vessels if the result of the pending litigation should establish that to do so is illegal; it merely enacts that process against such fishermen shall not be served on American vessels, nor shall such vessels or their tackle be liable to seizure. His Majesty's Government sympathise indeed—as do your Ministers—with the hardships at present entailed on the fishermen of Newfoundland, but while they claim for themselves the right to act in Imperial interests of the gravest moment, they do not assert any right to regulate the relations between the Government of Newfoundland and any section, however numerous, of the people of the Colony. They have, therefore, instructed the Senior Naval Officer on the Station to co-operate in every possible way with your Government in carrying out the law of the Colony as modified by the Order in Council and in endeavouring to effect an arrangement with the American fishermen satisfactory to your Government in supersession of the *modus vivendi*.

16. I am, however, constrained to add that His Majesty's Government cannot but feel that in this important question they have not received all the assistance

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* No. 92. † Nos. 95 and 99. ‡ No. 88.

which they were entitled to expect at the hands of your Ministers. My colleagues and myself are not responsible for, and did not create, the burdensome treaty obligations which bear so heavily on Newfoundland; and the practical sympathy of this country with the Colony was shown in 1904, when the late Government, with the full approval of every section of the community, made considerable sacrifices, not merely of money but of British territory, in order to relieve Newfoundland from the most onerous of the French treaty rights. But whatever charges may be brought against the policy which, in 1818, conceded the American treaty rights of fishery, nevertheless those rights remain binding, and have been continuously exercised for nearly 90 years. Circumstances have hitherto prevented any serious difficulty arising in this connection, so far as Newfoundland has been concerned, but since their extent has been questioned, it is the duty of the Imperial and Colonial Governments to co-operate with each other in effecting a satisfactory settlement. I do not think that your Ministers can deny that His Majesty's Government have given the fullest consideration to your Premier's views as expressed both when in London and since his return to Newfoundland, and on reflection they will probably admit that the extent to which concession to the United States Government is desirable and right is a matter in which in case of difference some consideration must be shown for the view of His Majesty's Government, who are trustees of the interests of the whole Empire as well as of Newfoundland. Considering that the Government of Canada—which has at present a satisfactory working arrangement as to treaty rights with the United States—has shown its sense of the necessity of unity of action in foreign affairs by associating itself with Newfoundland in reference to arbitration of the interpretation of the Treaty of 1818, His Majesty's Government cannot but feel that some consideration might have been accorded by your Ministers to their appeals for co-operation in arranging what is, after all, merely a temporary *modus vivendi* pending the settlement of the main issues by arbitration. They trust, therefore, that your Ministers may yet decide to work in harmony with the Imperial Government, in which case His Majesty will at once be advised to revoke the Order in Council of the 9th of September, and both Governments will be able to devote themselves to the important task of preparing the case of the Colonial Government for the consideration of the Hague Tribunal.

17. Your telegram of the 11th of September* reports that your Ministers request that time may be given to them for consideration of the situation created by the issue of the Order in Council, and that in the meantime the publication of the Order in Council may be held over. I gladly comply with this request—though strictly speaking it is proper that an Order in Council should receive immediate publicity—as I am anxious now and always to show every courtesy and consideration to the wishes of the Colonial Government. But it must clearly be understood that you are instructed to publish the Order in Council immediately on the arrival of the American fishermen, unless before that date your Government have given their adherence to the *modus vivendi*, and have undertaken to carry it fully into effect. The American fishermen are entitled, as soon as they arrive in Newfoundland waters, to the protection of the *modus vivendi*, and His Majesty's Government cannot risk the possibility of having the validity of an Order of His Majesty in Council questioned on the ground that it had not been made known to the subordinate officers of your Government.

I have, &c.,
ELGIN.

No. 118.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, September 19, 1907.

I DULY received the Address of the Legislative Council and House of Assembly of Newfoundland on the subject of the *modus vivendi* with the Government of the United States regarding the Newfoundland fisheries concluded by His Majesty's Government which was enclosed in your despatch of the 27th February last.†

2. I delayed replying to the Address in the hope of a satisfactory agreement being arrived at with your Government as to the terms on which the fishery should

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* No. 104. † No. 59.

be conducted pending the settlement of the questions in dispute by arbitration. But as it appears, to my regret, to be unlikely that this hope will be realised, I feel it due to the Legislative Council and House of Assembly no longer to leave their Address without a reply.

3. I have, therefore, to request that you will inform the Legislature that I have given the most careful consideration to their representations, but that for reasons which are fully described in my despatches of the 19th July and of even date,* His Majesty's Government have considered it essential to conclude a *modus vivendi* for 1907 on similar terms to that of 1906, but with important modifications in favour of the Colony, the use of purse seines being absolutely forbidden.

4. You will communicate copies of this despatch, and of the despatches referred to above to both Houses of the Legislature.

I have, &c.,
ELGIN.

No. 119.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.15 a.m., September 21, 1907.)

TELEGRAM.

[*Answered by Nos.* 121 *and* 125.]

Your telegrams of 14th and 16th September.† I have received a minute from my Ministers, of which the principal points are as follows:—

> They hope the full minute of 11th September‡ may justify the revocation of the Order in Council; they repeat the objections to the prevention of service of process advanced by the Prime Minister in his letters to your Lordship of the 15th and 17th June,§ and refer to your letter to the Prime Minister, 18th June,‖ which recognised the cogency of his objections, in consequence of which they cannot understand the action of His Majesty's Government in passing the Order in Council. If it is contended that His Majesty's Government were pledged to renew *modus vivendi*, and that Supreme Court had shown that the *modus vivendi* could not legalize shipment of Newfoundland fishermen, their answer is that *modus vivendi* is not necessary because of the undertaking of this Government to revert to the *status quo* prior to 1905, thus giving to the Americans all the privileges hitherto enjoyed by them on the Treaty Coast.
>
> Promulgation of Order in Council would practically destroy case of this Colony before the Hague Tribunal as furnishing argument that the law of Newfoundland is not binding on Americans. My responsible advisers refuse to accept any responsibility for Order in Council which cannot be with justice put on them. To assist His Majesty's Government ameliorate embarrassing position they proposed reference to Hague Tribunal, and also a temporary working arrangement to lawfully give Americans the privileges they had before this dispute. My responsible advisers cannot be parties to the *modus vivendi*, and they protest against the promulgation of the Order in Council. They are advised by Attorney-General and English Counsel that Order in Council is not operative against the law of the Colony. Order in Council cannot grant any new right or immunity. His Majesty's Government appear to overlook that my responsible advisers undertake to place Americans in precisely the same position as they occupied in 1905, thus making the *modus vivendi* and Order in Council unnecessary. Whether Order in Council is published or revoked, my responsible advisers will issue lawful authority to the local fishermen on the Treaty Coast to sell fish to Americans and others as heretofore, thus removing any possible grounds of complaint so far as Americans are concerned and at the same time upholding the law of this Colony.—*End of résumé.*

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* Nos. 76 and 117.
† Nos. 110 and 112.
‡ No. 108.
§ Nos. 2 and 3 in Appendix.
‖ No. 4 in Appendix.

In explanation of above, I should add that a licence would be issued to Newfoundland fishermen to sell to Americans or others, but no engaging of Newfoundland fishermen as part of the crews for Americans will be allowed.—MacGregor.

No. 120.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5 p.m., September 22, 1907.)

Telegram.

[*Answered by No.* 122.]

Sir R. Bond has informed me orally that he declines to publish the Order in Council. On the arrival of the first American vessel, I shall, if not otherwise instructed by you, publish the Order in Council in the "Royal Gazette." I have arranged for this course of action.—MacGregor.

No. 121.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 11.15 p.m., September 23, 1907.)

Telegram.

Your telegram 20th September.* His Majesty's Government have received with great regret the refusal of your Ministers to co-operate in carrying out the *modus vivendi*, which leaves His Majesty's Government no alternative but definitely to instruct you to publish the Order in Council. This step should, therefore, be taken at once.

The points raised by your Ministers will be dealt with by despatch,† but I think it right to warn them that His Majesty's Government cannot support them in any attempt to enforce the service of process on American vessels, and that the Senior Naval Officer on the Station has been so instructed.

While taking the necessary steps to promulgate and legalise the *modus vivendi*, you will understand that His Majesty's Government will gladly welcome any friendly arrangement which can be made to facilitate the fishery as between your Government and the American fishermen provided the pledges given by His Majesty's Government to the United States Government are fully safeguarded. Indeed, you may be able to suggest such an arrangement yourself, and your good offices would, no doubt, be greatly appreciated.—Elgin.

No. 122.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 11.20 p.m., September 23, 1907.)

Telegram.

[*Answered by No.* 123.]

Your telegram, 22 September.‡ I approve of the publication of the Order in Council in the next "Royal Gazette."

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* No. 119.

† No. 125.

‡ No. 120.

No. 123.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.45 a.m., September 25, 1907.)

Telegram.

Order in Council published in "Royal Gazette" to-day, 24th September.—MacGregor.

No. 124.

The GOVERNOR to the SECRETARY OF STATE.

(Received 4.40 p.m., September 25, 1907.)

Telegram.

[*Answered by No.* 126.]

Public meeting at Bay of Islands gives cordial support to Government of Newfoundland in their effort secure by law inshore fishing grounds for this Colony, but they ask Colonial Government remove restriction for this season.—MacGregor.

No. 125.

The SECRETARY OF STATE to the GOVERNOR.

Sir, Downing Street, September 26, 1907.

I have the honour to acknowledge the receipt of your telegram of the 20th of September,* containing the decision of your Ministers as to the acceptance of the *modus vivendi* with the United States Government regarding the Newfoundland fishery.

2. In my telegrams of the 23rd of September,† I informed you that the refusal of your Ministers to accept the *modus vivendi* left His Majesty's Government no option but to instruct you to publish the Order in Council of the 9th of September, and I accordingly instructed you to publish it in the next issue of the Newfoundland "Royal Gazette."

3. His Majesty's Government had no alternative but to take this action in the absence of an undertaking by your Ministers to carry into effect the terms of the *modus vivendi*, and in view of the fact that, as your Ministers were informed in my telegrams of the 30th of August and the 2nd of September,‡ the Government of the United States have declined to accept the proposal of your Government to permit the sale of fish to American fishermen as a substitute for the *modus vivendi*. His Majesty's Government hope, however, that your Ministers may, after all, be able to secure the acceptance of the liberty to purchase fish in substitution for the *modus vivendi* by negotiation with the American fishermen on their arrival in Newfoundland. If this is done, His Majesty's Government will, in accordance with the addendum to the *modus vivendi*, have great pleasure in inviting the adherence of the United States Government to the arrangement.

4. I do not think it necessary to comment in detail on the view expressed in your Ministers' Minute since the position of His Majesty's Government in the matter has been so fully set out in my despatch No. 70, of the 19th of September;§ but as your Premier has referred to my letter to him of the 18th of June,‖ I would remind him that while I consented to omit from the draft note to the Foreign Office any reference to the question of service of process on American vessels, I distinctly intimated that the omission would in no way interfere with the giving of full consideration to any proposal put forward by the United States Government. In view of this fact, and of the distinct intimation given in my telegram of the 10th of August,¶ of the intention of His Majesty's Government to take any necessary action to make good their pledges to the United States Government, I cannot quite understand the surprise expressed by Sir R. Bond at the action now taken.

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* No.119. † Nos. 121 and 122. ‡ Nos. 91 and 96. § No.117.
‖ No. 4 in Appendix. ¶ No. 84.

5. I cannot enter into a discussion as to the validity of His Majesty's Order in Council of the 9th of September, which was issued on the advice of the Law Officers of the Crown, but I cannot for a moment admit that the issue of an Order in Council shows that the law of Newfoundland is not applicable to Americans. On the contrary, the issue of an Order in Council is a formal and deliberate expression of the view of His Majesty's Government that the law of Newfoundland is binding on American vessels, and that no other means exist of preventing the application of such provisions as interfere with the *modus vivendi* than a formal alteration of the Colonial Law by a competent authority, in this case His Majesty in Council under Section 1 of the Imperial Act 59 G. III., ch. 38.

I have, &c.,
ELGIN.

No. 126.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR,
Downing Street, September 26, 1907.

I HAVE the honour to acknowledge the receipt of your telegram of the 25th of September,* reporting a resolution passed at a public meeting at Bay of Islands.

I have, &c.,
ELGIN.

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* No. 124.

APPENDIX.

No. 1.

Sir R. BOND to the EARL OF ELGIN.

[*Answered by No.* 4.]

The Hotel Metropole and the Whitehall Rooms,
London, W.C., June 10, 1907.

Dear Lord Elgin,

I have very carefully considered the draft communication proposed by the Foreign Office to be forwarded to His Excellency the American Ambassador in the matter of the conduct of the herring fishery on the West Coast of Newfoundland, and which is virtually a proposal to continue the arrangement of 1906.

The objections that were advanced by the Executive Government of Newfoundland against the terms of the *modus vivendi* of 1906, therefore, apply with equal force to the draft under reference. I might, perhaps, more correctly say, with even greater force, for it is now proposed that the Colony shall be deprived of its legal right to serve process upon its own citizens who may proceed on board of American vessels and engage in fishing contrary to the law of the Colony.

I would respectfully submit that the proposed *modus vivendi* could not, without the Colony becoming a consenting party thereto, suspend that legal right, and, therefore, such an undertaking would be of no value, and inasmuch as the Newfoundland Government have already decided that they cannot become parties to any abrogation, suspension, or limitation of the statutes of the Colony, for His Majesty's Government to make such a proposal to the Government of the United States would only lead to further complications, more especially so in view of the fact that the Supreme Court of Newfoundland has recently decided that in administering Colonial law it is entitled to disregard the provisions of a treaty or arrangement concluded by the Crown with a foreign State which conflicts with that law.

I have also considered the 1906 Act, and, after consulting with counsel, am unable to depart from the position that I advanced when discussing it with your lordship, namely, that as the Act applies to a larger area than the treaty area, the provisions imposing penalties on vessels and owners should not be struck out, any rights which American fishermen have under the Treaty of 1818 being fully protected by Section 14 of the said Act.

With the most earnest desire to aid His Majesty's Government in their endeavour to reach an understanding with the Government of the United States, I am prepared, on behalf of my Government, to concur in that portion of the despatch wherein His Majesty's Government undertake "to communicate a copy of all the Regulations that are now in force, and if there is anything in these Regulations which the United States Government feel to bear hardly upon the American fishermen His Majesty's Government will gladly pay the utmost consideration to any American representations on the subject with a view to the amendment of the Regulations in the sense desired, provided that such be consistent with the due preservation of the fishery."

This concurrence, however, is on the understanding that the submission of our fishery laws to the American Government shall not be regarded as a precedent, and must be understood to be without prejudice to the legal and constitutional rights of the Colony.

With the other paragraphs of the despatch proposing a *modus vivendi*, I regret to say I am unable to agree, and I can only repeat what my Government has so strongly urged, namely, that the 1906 Act may receive the assent of the Crown, thus enabling them to enforce the Bait Act more rigidly in the case of those local fishermen who may be induced to violate its provisions.

I return herewith the draft despatch, and beg to intimate that I shall be very pleased to wait upon your Lordship any day and hour that you may name between this date and Thursday next, when I propose to leave the city *en route* for Newfoundland. If, however, your Lordship thinks that any good purpose will be served by remaining over for a later boat, say on the 21st inst., I shall be pleased to cancel my present arrangements. An answer on this point to-day will greatly oblige.

I have, &c.,
R. BOND.

No. 2.

SIR R. BOND to THE EARL OF ELGIN.

[*Answered by No.* 4.]

The Hotel Metropole and the Whitehall Rooms,
London, W.C., June 15, 1907.

DEAR LORD ELGIN,

I HOPE you may regard the fact of the cancellation of my passage per S.S. "Ionian," on the 13th instant and the postponement of my departure from England until the 21st instant, as evidence of my earnest desire to arrive at an understanding with His Majesty's Government in the matter of the Newfoundland Fisheries question. I can assure your Lordship that my prolonged stay here has been at considerable public and personal inconvenience, and that I have only felt warranted in delaying my departure by the importance of this issue to the Colony I represent.

To the amended draft despatch proposed to be forwarded by the Foreign Office to His Excellency, the American Ambassador, and which I had the privilege of discussing with your Lordship and Sir Edward Grey on Tuesday last, I have devoted most serious consideration during the past few days, and having forwarded a *précis* of the despatch by cable to my Executive colleagues, and received in reply a full expression of their views thereon, I am now in a position to furnish His Majesty's Government with the conclusions that have been forced upon the Newfoundland Government by such consideration, and also by a consideration of the results that must ensue from an enforcement of its provisions.

1. The paragraph in the proposed despatch which stipulates that "whilst His Majesty's Government would be unable to agree to any provision exempting them (Newfoundland fishermen) from subsequent prosecution, they would, at the same time, give instructions that process to compel British subjects to appear before the Courts of the Colony for contravening any provisions of the law prohibiting them from fishing on or for an American vessel shall not be served on board an American vessel while she is in Newfoundland waters in the exercise of the Treaty rights given by the Treaty of 1818," is one to which my Government feel they cannot possibly give their assent, because

(*a*) It is intended to over-ride the Colony's constitutional rights.
(*b*) It purports to set aside their rights under International law.
(*c*) It would create a "Harbour of Refuge" for criminals within the Colony's jurisdiction, viz., an American vessel, on board of which they would be safe from legal process or arrest.
(*d*) It would take from the civil authorities that complete control over the inhabitants of the Colony that is absolutely essential to proper government and the upholding of respect for law and order.
(*e*) It would seriously interfere with the carrying out of the fishery laws which the Government regard as a matter of vital importance to the people of the Colony generally.
(*f*) It would leave the Government of the Colony powerless to restrain during the whole of the fishery season any violations of the Fishery Laws by those fishermen of the Colony who may enter into the service of the Americans.
(*g*) It would encourage lawlessness by holding out to violaters of the law a guarantee from arrest.
(*h*) It would facilitate the fishery ring of Gloucester, Mass., in defrauding the revenue of the United States of America and in demoralising His Majesty's subjects on that part of the coast of the Colony of Newfoundland to which the Americans have access.

I cannot but believe that your Lordship will regard these reasons as sufficiently cogent, and I must assume that His Majesty's Government had not considered the foregoing aspects of the question when the despatch under reference was drafted.

I noted that your Lordship observed in support of this clause, that it would be competent for the civil authorities to serve process after the local fishermen had completed their work for the Americans and had returned to their homes; but I would venture to point out that they, or some of them, may not return to their homes,—employment may be found for them outside the Colony.

At the present time, the United States Government have the greatest difficulty in inducing American citizens to engage in the fisheries because of the exceeding high wage paid in the factories, and a reference to American statistics will show that the fishing fleet of New England is principally manned by British subjects and Europeans. Again, American masters may ship their crews in some Canadian port, and, if so, how, may I ask, would it be possible for the Newfoundland Government to follow such crews and serve legal process upon them after the fishery is over?

If the officials of the Newfoundland Government are to be prevented from going on board of American vessels, then they would have no means of ascertaining the names of the crews or the place to which they belong, and, consequently, the service of such process after the fishery was over would be absolutely impossible.

I find it difficult to conceive upon what principle of law or justice one class of criminals can be rendered immune from service of legal process while all other classes are very properly liable thereto, and I have endeavoured, but without success, to find either a precedent for such a remarkable provision, or a justification therefor.

After careful perusal of all the published correspondence that passed between His Majesty's Government and the Government of the United States in respect to matters at present in dispute, I cannot find that it was ever suggested by the United States that International Law should be set aside so as to prevent the service of legal process upon British subjects, or even upon the subjects of the United States while engaged in the conduct of the fisheries, and the undertaking, therefore, seems to be entirely gratuitous and proferred on the part of His Majesty's Government.

If the paragraph under reference is stricken out of the proposed despatch, I think it quite possible to arrive at an agreement with His Majesty's Government.

2. With further reference to the proposed despatch, will you permit me to observe that compliance with the Customs and other laws of the Colony is not set forth as a duty incumbent upon American citizens but as a mere recommendation or suggestion, and that herein there is a departure from that British foreign policy outlined in the diplomatic correspondence respecting the fishery disputes of 1886, when the United States proposed a *modus vivendi*, providing that His Majesty's Government should instruct Colonial officials to abstain from seizing and molesting United States fishery vessels unless they were found fishing in the non-Treaty waters. On reference to Blue Book "Foreign Relations," United States, 1887, pages 428 and 484, it will be seen that Lord Salisbury on that occasion replied that:—"This would suspend the operation of the statutes of Great Britain and of Canada and of the Provinces, not only as to various offences connected with the fishery, but as to customs, harbours, and shipping, and would give to the fishing vessels of the United States greater privileges in Canadian ports than are enjoyed at the present time by any vessels in any part of the world," and that the proposals were "quite unadmissible," although the American Government had proposed as an article in the *modus vivendi* that:—"The United States agrees to admonish its fishermen to comply with the Canadian Customs Regulations and to co-operate in securing their enforcement, and that obedience by American fishing vessels to Canadian laws was believed and intended to be secured by this article."

I would also refer to page 447 of the said Blue Book, wherein it will be found that when the United States Government subsequently proposed "that some *ad interim* construction of the terms of the existing Treaty should, if possible, be reached," Lord Iddesleigh, then Foreign Minister, expressed his disappointment at the proposal "That His Majesty's Government, in order to allay the differences which have arisen, should temporarily abandon the exercise of the Treaty rights which they claim, and which they conceive to be indisputable. His Majesty's Government are unable to perceive any ambiguity in the terms of Article 1 of the Convention of 1818."

The Government of Newfoundland confidently look to His Majesty's Government for continuity of the policy so clearly outlined in the Blue Book under reference. This is all they ask—it is all they desire, for it recognised the Colony's rights under the Treaty and under the Constitution, and was a fulfilment of that pledge given to the Colony in 1857 in the Labouchere despatch.

The Constitution enjoyed by Newfoundland confers legislative power on the Governor in Council by and with the advice of the legislature to "make laws for the public peace, welfare, and good Government of the said Colony." The Judicial Committee of the Privy Council, as the final Court of Appeal, has held (see Russell *v.* Regina, 7 App. Cases 829; Hodge *v.* Regina, 9 App. Cases 117) that, subject to the limitations that laws shall not be repugnant to any Imperial Act extending to the Colony or to Imperial policy affecting foreign nations, all the Colonies possessing responsible Government have the powers and attributes of sovereignty in determining what civil and political rights may be enjoyed within the Colony, and what wrongs shall be prohibited and punished. The Government of Newfoundland cannot, therefore, be privy to either a cancellation, suspension, or limitation of these rights.

If His Majesty's Government differ in opinion from their predecessors, and perceive an ambiguity in the terms of Article 1 of the Convention of 1818, or if the present Law Officers of the Crown conceive it questionable as to whether the fishery laws of Newfoundland are binding on privileged foreigners coming within the jurisdiction of the Colony, then the Government of Newfoundland are perfectly willing that the questions be referred to the Hague Tribunal, provided that all questions that may be raised under the Treaty do form part of the reference. One of those questions should be the right of American vessels to fish or trade in any of the bays, harbours, or creeks of that portion of the coast of Newfoundland between Cape Ray and Quirpon Island, and I would suggest that the assent of the American Government to such reference be immediately sought, so that the matter may come before the present Hague Conference.

If, on the other hand, there is no question in the mind of His Majesty's Government as to—

(1) The construction that must be placed on Article 1 of the Convention of 1818; or

(2) The binding effect of Newfoundland laws, hitherto held by His Majesty's Government to be not inconsistent with that Treaty, upon all who come within the jurisdiction of the Colony, then I have to earnestly pray that the Government of the Colony may be upheld by His Majesty's Government in the carrying out of such laws as the Legislature of the Colony has determined to be in the best interests of its people.

If the Clause having reference to the non-service of legal process and the penalisation of masters or agents of American vessels is eliminated, and the mere recommendation or suggestion of compliance with the customs and other laws of the Colony takes the form of a requirement, I shall be prepared to acquiesce in the amended despatch, but I would respectfully suggest that after the word "prepared," in the sixth line of page 14 of draft despatch, the words "for the present purpose" be inserted; and after the word "are," in the fifteenth line of the said page, the word "ultimately" be inserted.

I would intimate for your Lordship's information that the following is the last cable that I have received from the Executive Council of Newfoundland:—"Council consider terms of despatch infinitely worse than former *modus.* They believe effect of proposals would be that our people would go on board American vessels and fish, and we could only attempt to punish them when they came on shore, and this would be practically impossible. Council regard serving process on board American vessels and penalisation of American vessels, masters, and crews as indispensable conditions; they agree as to reference to Hague Tribunal."

I think your Lordship will agree with me that the primary object of all penal statutes is to deter from wrong doing and not to punish offenders. The proposal contained in the despatch under reference is to reverse that, and I hope, therefore, that His Majesty's Government will recognise the advisability of giving its assent to the Foreign Fishing Vessels Amendment Act, 1906, which the Government of Newfoundland believe will have such deterring effect and prevent any violation of the law by either American citizens or local fishermen who may frequent the Treaty shore.

I have, &c.,
R. BOND.

No. 3.

SIR R. BOND to THE EARL OF ELGIN.

[*Answered by No.* 4.]

The Hotel Metropole and the Whitehall Rooms, London, W.C.,
DEAR LORD ELGIN, June 17, 1907.

SINCE writing to you on Saturday morning last,* in the matter of the proposed despatch from the Foreign Office to His Excellency the American Ambassador, I have given further consideration to the question of service of process on British subjects when on board of American vessels, and would beg to be permitted to observe—

1. That it is a well-established principle of international law that, subject to the public right of innocent passage for commercial purposes, the sovereign jurisdiction of a State over its territorial waters is absolute and exclusive (see Wheaton 4th Edition English, page 276). The principle is, at all events admitted, with practical unanimity, in matters relating to fisheries and revenue (see judgment of Lindley J. in the Queen *vs.* Keyn L. R. 2 Ex. Div. pp. 93 and 94).

A question may sometimes arise such as that raised in the case referred to, whether the State has exercised its sovereign jurisdiction by giving to its Courts the power to try and punish offences committed within its territorial waters. No such question, however, can arise in the present instance, as the Bait Act and Fishery Laws of the Colony expressly confer jurisdiction on the Colonial Courts in respect of offences under those Acts.

2. The power of the State to legislate over its territorial waters, must, in my opinion, carry with it the power to make its laws effective, including the power to arrest persons infringing those laws when found within territorial waters.

3. If British subjects proceed on board American vessels and fish from them in contravention of the Fishery Laws of the Colony, it appears to me to be clear that the officers of the Newfoundland Courts have power to go on board those vessels for the purpose of serving process upon or apprehending the offender; and that an undertaking on the part of His Majesty's Ministers to prevent the service of such process would be in violation, not only of a well-established principle of international law, but of the constitutional rights of the Colony.

It will be necessary for me to leave this city on Wednesday evening en route to Liverpool, and I trust that I may be favoured with a satisfactory reply to my communications before that date.

I have, &c.,
R. BOND.

No. 4.

THE EARL OF ELGIN to SIR R. BOND.

[*Answered by No.* 5.]

DEAR SIR ROBERT BOND, Colonial Office, June 18, 1907.

I HAVE to acknowledge your letter of yesterday,† and to explain that when I received your previous letter* on Saturday I at once forwarded it to Sir E. Grey, and we met yesterday to discuss the situation.

We regret that you do not give all the weight which we think they deserve to the probabilities of international difficulties. It appears to me, if you will allow me to say so, that your letter of the 17th† shows again that you content yourself with stating principles of international law, to which as general principles probably all would agree, without making any allowance for the existence of specific treaty rights.

However, after deliberation, we have resolved to omit from the letter to the United States the passage referring to the service of processes to which you so strongly object; but in doing so we feel that it is more than probable that the Americans will raise the point, and it must be clearly understood that the omission of the provision at this stage will in no way interfere with our giving full consideration to any reasonable proposal which the American Government may make, in order that the next fishing season may pass by without disturbance. We remain of opinion that for this purpose something of the nature of a "*modus vivendi*" is necessary; and we are not prepared to advise that the Act of 1906 should be assented to. As you will have seen in conversation with Sir E. Grey and myself, we are extremely anxious to act in concert with the Government of the Colony, and to do nothing to impair its authority. But it is the duty of His Majesty's Government to deal with international relations, and while we should prefer in a matter of this kind to rely upon Colonial legislation, we shall not hesitate if necessary to use such other means as are open to us to obtain sanction for the arrangements which we consider essential for the preservation of relations of peace and amity with a friendly nation, and for the settlement of disputes in an orderly fashion.

---

* No. 2.

† No. 3.

The draft of the communication to the United States in its final form will, if possible, be sent to you before you leave.

Yours, &c.,
ELGIN.

No. 5.

SIR R. BOND to THE EARL OF ELGIN.

The Hotel Metropole and the Whitehall Rooms,
London, W.C., June 19, 1907.

DEAR LORD ELGIN,

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date* in reply to mine of the 10th and 17th instants.†

I regret that my letters should have left the impression upon your Lordship and Sir Edward Grey that I "do not give the weight, which you think they deserve, to the probabilities of International difficulties," and that I content myself with "stating principles of International Law to which, as general principles, probably all would agree, without making any allowance for the existence of specific Treaty Rights." I can assure your Lordship that I have endeavoured to view the question at issue from every standpoint, and with a sincere desire to secure an honourable and peaceful solution of the difficulties that present themselves. I ventured most respectfully to state principles of International Law because, it appeared to me, that the paragraph in the proposed despatch of the Foreign Office wherein was an undertaking to prevent the service of legal process upon British subjects on board of American vessels in the territorial waters of the Colony of Newfoundland, amounted to an abrogation of International Law, the operation of which law no Treaty Rights could possibly affect.

I am gratified to learn that your further deliberation of the matter with Sir Edward Grey has resulted in the omission of the paragraph referring to the service of process from the proposed despatch to His Excellency the American Ambassador. This gratification is only lessened by the intimation that your Lordship is not prepared to advise that the Act of 1906 should be assented to. The Foreign Fishing Vessels Amendment Act, 1906, was introduced at the instance of His Majesty's Government, in order to meet a desire expressed by the American Government, and, unless I am mistaken, its every clause was submitted by the Newfoundland Government to His Majesty's Government, and while approval of the various clauses was not expressed by His Majesty's Government, the Colony at least had no reason to suppose that the assent of the Crown would be withheld after the legislature of the Colony had approved its provisions. The very object that the Government of the Colony had in submitting the draft of Act to His Majesty's Government, before introducing it, was to avoid the possibility of the Act being held in abeyance or disallowed.

Your Lordship will, therefore, readily believe that, under these circumstances, the Colony regards it as an exceptional grievance that the Act should be held in abeyance or disallowed.

So far, it has not been made to appear to the Government of the Colony to which clauses His Majesty's Government take exception, and, I would further observe, that the Act provides that it may be brought into force in whole or in part by proclamation.

---

* No. 4.

† Nos. 1 and 3.

The Government of the Colony has strongly urged the approval of the 1906 Act in order that it may better carry out the Bait Act of 1887 and also restrain American citizens from aiding British fishermen in violating that Act. If the Sections which convey that power were approved and proclaimed, it would, in their opinion, most certainly have the effect of preventing all breaches of the law.

I am pleased to receive your Lordship's assurance that His Majesty's Government "is anxious to act in concert with the Government of the Colony, and to do nothing to impair its authority"; but I hope I may be pardoned if I say that, in my opinion, the disallowance or suspension of that Act will very greatly impair the authority of the Government of the Colony.

I regret to observe that in your Lordship's letter no reference is made to my proposal as to submission of questions at issue to the Hague Conference.

Observing that I am to be favoured with a copy of the final draft of communication to the Government of United States, I will postpone my departure from this city until to-morrow morning.

I have, &c.,
R. BOND.

No. 6.

THE EARL OF ELGIN to SIR R. BOND.

DEAR SIR ROBERT BOND, Colonial Office, June 19, 1907.

I AM now able to enclose the amended draft* of the communication which Sir E. Grey proposes to address to the American Ambassador.

It is, of course, in the meantime for your information confidentially.

Yours, &c.,
ELGIN.

P.S.—Since writing the above I have received your letter of this date.† I do not think I can usefully discuss the points raised before your departure, but they shall receive my best consideration.

---

* Enclosure in No. 76.

† No. 5.

TRADE WITH NEWFOUNDLAND.

BOARD OF TRADE.—COMMERCIAL INTELLIGENCE COMMITTEE.

REPORT

UPON THE

CONDITIONS AND PROSPECTS

OF

BRITISH TRADE IN NEWFOUNDLAND

BY

MR. RICHARD GRIGG,

Special Commissioner of the Advisory Committee to the Board of Trade on Commercial Intelligence.

Presented to both Houses of Parliament by Command of His Majesty.

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COMMERCIAL MISSION TO NEWFOUNDLAND.

Letter of Transmission.

LONDON,
24th February, 1908.

TO THE PRESIDENT OF THE BOARD OF TRADE AND CHAIRMAN OF THE ADVISORY COMMITTEE ON COMMERCIAL INTELLIGENCE.

SIR,

I HAVE the honour to report that upon receiving instructions, I proceeded to Newfoundland and took up my work there on the 25th of May last.

My first duty was to present myself to His Excellency the Governor and the Ministers of the Crown at St. John's, by whom my mission was received with much interest and goodwill. To His Excellency, Sir William MacGregor, I am especially indebted for very valuable help and advice in the fulfilment of the mission entrusted to me.

Every assistance that could be rendered to my enquiry was readily given; the Newfoundland authorities assisted me in all possible ways, and all sources of information, both public and private, were placed at my service. The Government Departments and railway authorities are all entitled to my warmest acknowledgment. It is not easy to give adequate expression to my appreciation of the kindness with which I was received by merchants and traders, but I take this opportunity of tendering to them and to all my informants, my most grateful thanks for the encouragement and assistance given to my investigations.

Among all classes in Newfoundland, there undoubtedly exists a strong desire to buy goods from British sources whenever possible. The fact that His Majesty's Board of Trade had instituted an enquiry was received with marked approval as indicating a desire on the part of the Home Government to promote closer commercial relations with Newfoundland.

Nearly the whole of the business with the Colony is transacted at St. John's, and much of the time at my disposal was accordingly spent in that city. A good deal of time was devoted to obtaining information by visits to warehouses and stores and by interviewing traders, and the opinions set forth in this Report have been framed after careful consideration of the opinions and evidence collected in this way.

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I found a general belief that British manufacturers and merchants are less aggressive in their methods of business than their American competitors, and was informed that buyers see ten American commercial travellers where they see only one traveller from the United Kingdom.

The question of rates of freight upon European goods is one upon which strong opinions were expressed, and it will be my duty to deal with the subject in this Report.

The whole circumstances of the Country are interesting, having regard to its early discovery and settlement, its important fishing industry, its comparatively recent railway development, and now the prospect of enlargement of the pulp and mining industries.

The extraordinary and interesting story of the past Government of the Island is admirably told in Prowse's "History of Newfoundland" (published by Messrs. Eyre and Spottiswoode). I am also greatly indebted to a very valuable report (dated March 31st, 1907), made by His Excellency Sir William MacGregor, K.C.M.G., the present Governor of the Island.

I have, &c.,

RICHARD GRIGG.

REPORT ON THE CONDITIONS AND PROSPECTS OF BRITISH TRADE IN NEWFOUNDLAND.

Introduction. The Newfoundland Market.

The Island of Newfoundland, with an area of 42,000 square miles, being about one-eighth larger than Ireland, is said to be the tenth largest island of the world. It lies at the entrance to the Gulf of St. Lawrence, its north-western coast being separated from the Labrador coast of the mainland of North America by the Straits of Belle Isle, about 12 miles in width, and its south-westerly point being about 50 miles distant from the nearest land of Nova Scotia, from which it is separated by Cabot Strait. Labrador, with an area of 120,000 square miles, and an estimated population at the end of 1904 of 4,009 persons, is a dependency of Newfoundland. The capital city of Newfoundland, St. John's, is 1,640 miles from the coast of Ireland, and has about 30,000 inhabitants; whilst nearly all the remaining population lives in the numerous small towns and fishing settlements on the beautiful bays and inlets of a wild and rocky coast. The climate of the Colony is bright and cool in summer, and in winter it is not so cold as on the neighbouring mainland.

Four hundred and ten years ago on the 24th June last, the "Matthew" of Bristol, a vessel of 60 tons burden, having John Cabot as her commander and a crew of 18 men, sighted the coast of Newfoundland, having sailed westward from Bristol bearing a patent from Henry VII. of England for the discovery of new lands. After spending some fourteen days on the coast, Cabot returned to Bristol, believing he had seen the dominions of the Grand Kahn. Like Columbus, he believed the western shores of the Atlantic were the eastern coast of Asia. His reward is indicated by an entry in the King's Privy Purse still to be seen at the British Museum "To Hym who discovered the New Isle, Ten Pounds." Cabot reported that the sea which washed the shores of the land he had visited was swarming with fish, and from shortly after that time until this day, fishing, whaling, and sealing have constituted the principal industry of the country.

The market presented by Newfoundland is provided by the needs of about 230,000 people, of whom a large proportion consists of persons engaged in the fishing industry carried on around the coast of the island, on the banks of Newfoundland, and on the coast of Labrador.

The growth of population in the Colony (including Labrador) is shown by the following table:—

Year.	Number of Inhabitants.
1654	1,750
1804	20,000
1832	60,000
1857	124,000
1874	161,000
1901	221,000
1906 (estimated)	230,000

Unlike its great neighbour, Canada, Newfoundland has not witnessed any considerable increase of population by immigration in recent years. Indeed, the same forces which for many years deprived Canada of even its natural increase have operated also in the case of Newfoundland, whose young men were attracted to the United States during a period of great industrial expansion, and found profitable employment there. Whilst this force is less potent now than formerly, a considerable number of young men now find their way to the Canadian North-west—though it is said that the Newfoundlander seldom forgets his homeland and generally returns to it.

St. John's has on several occasions suffered the misfortune of being nearly destroyed by fire, and as a consequence the figures available as records of the trade of the country are very scanty and incomplete. No yearly report upon trade is issued by the Government, the only source of information being the Customs returns, which contain statistics chiefly designed to set forth the revenue derived from Customs duties, but also give tables of Imports and Exports.

In a Report to the Colonial Office by Sir William MacGregor dated 31st January, 1905, the author says "Up to the present time the Blue Books for the last three fiscal years 1901–2 to 1903–4 have not been published," and in another place he remarks "The Newfoundland Customs returns are prepared more with a view to show from what sources the revenue of the Colony is obtained than to give complete and precise information with regard to the details of the foreign trade of the country. This is made clear from the one fact alone that imports to the value of $140,902 in 1902–3 and $166,910 in 1903–4 are left as unspecified, and are entered in the returns under the name of the importer, with the value, and the country from which imported, but without any clue as to what the articles imported really were. To this extent, therefore, the classified lists of imports given in this Report are incomplete, and they cannot be completed, because full and specified entries were not passed for those goods, all of which were admitted free under the existing tariff."

Up to and including the year 1894, the fiscal year terminated on the 31st December, but since that year, the fiscal year has terminated on the 30th June.

Agriculture and Forestry.—There are large areas which appear to be suitable for grazing purposes, and excellent potatoes and other vegetable products are grown, but agriculture has not hitherto been developed to any considerable extent. Although a large number of the fishermen possess gardens in which they raise vegetables for domestic consumption, and although in the neighbourhood of the principal city, where there is of course a fairly large market for vegetables and other farm produce, and in certain other sections where land is specially suitable for what is known as market gardening, a certain amount of work in that direction is undertaken, yet agriculture has on the whole been carried on up to the present in a very elementary way, and there appears to be no class, such as is found in other countries, whose livelihood is dependent upon the cultivation of the soil. The Colony relies very largely upon other countries for its supplies of food, with the single exception of fish.

In an address delivered by Sir William MacGregor at the opening of the Newfoundland Agricultural Exhibition at St. John's, on 17th October, 1906, I find the following remarks :—"Even in its present stage of development, the agricultural industry of this Colony is of much greater importance than the majority of us have ever imagined. I have already said that farming does not receive here due attention. In the figures for 1901 there were in this Colony in that year 96,000 acres of improved land and 34,000 acres of land in pasture. We must remember that this was for many generations a fishing settlement or colony. Naturally, therefore, all its inhabitants have directly or indirectly been interested in or dependent upon this great fishing industry, and men's thoughts have only in recent years been turned more in the direction of agriculture, mining, &c. The prospect of growing apples here is as encouraging as it was at one time in some of the neighbouring provinces of the Dominion, and that in the course of time the ordinary cereals, wheat, barley, oats, and rye, will be produced here in considerable quantities, admits of no reasonable doubt."

In the course of the address reference is made to the system of advances to settlers which has been of great advantage to the Australian Colonies, and it is hoped that the effort of the Governor to stimulate greater interest in agriculture may prove successful. It has apparently been proved that the Colony can produce all the barley, oats, and rye needed. With careful selection it is hoped that cereals will be obtained that will ripen on the Island.

The forest resources of Newfoundland are extensive and destined to be much more largely developed. The country has a coast line of some 6,000 miles, broken by innumerable inlets, and having many rivers and lakes well adapted for conveying the logs from the forest regions to the mills. The principal forest products are white, yellow, and red pine, spruce, white maple, fir, birch and aspen. Immense forest fires have occurred in the country, and owing both to this fact and to the nature of the soil, very much of the spruce is of small size. Attempts are now being made to guard against fires, which have inflicted incalculable damage in the past, and efforts are also being made to re-afforest important areas.

Mining.—Important mineral deposits are known to exist in Newfoundland, but there appears to be no department charged with the duty of formulating information with regard to mining.

In the Report of Mr. James P. Howley, F.G.S., Geologist to the Colony, dated 20th May, 1901, he remarked that "the establishment of a Mining Bureau, whose object is to collect data, inspect mining properties and furnish all possible information of a useful character to those requiring it, would be a subject worthy of consideration," and in his Report, dated 24th March, 1906, he states that "the difficulty and delay in procuring full and accurate statistics of the mining output seems to increase instead of diminish as time goes by."

By far the largest item of mineral production is that of iron ore, followed by copper ore and pyrites. The value of minerals exported from Newfoundland during the four years ending 30th June, 1906, appears in the following table :—

Exports of Minerals from Newfoundland, 1902–3 *to* 1905–6.

Class of Mineral.	Total Value.			
	1902–3.	1903–4.	1904–5.	1905–6.
	$	$	$	$
Antimony	—	—	—	15,000
Baryta	1,840	6,878	4,775	—
Copper ore	378,041	403,971	448,400	375,520
Iron ore	698,025	526,285	635,350	768,430
Mica	63	100	—	—
Pyrites	167,439	311,162	410,514	334,075
Samples	220	319	115	240
Slate	57,700	39,850	40,600	38,163
Talc	930	—	8,006	9,000
Total	1,304,258	1,288,565	1,547,760	1,540,428

It may be noted that copper ore to the value of $207,228 was sent to the United Kingdom in 1902–3, and that in 1905–6 it had fallen to $159,445, whilst the value of the amounts sent to the United States was in the former year $170,813, and had risen to $216,070 in 1905–6. Of iron ore by far the largest proportion is exported to Canada, the value of the supplies to that country rising from $313,780 in 1902–3 to $506,100 in 1905–6. The exports to the United Kingdom fell from $92,935 in 1902–3 to $18,920 in 1905–6, and to the United States from $92,660 in 1902–3 to $35,805 in 1905–6. To Holland the exports were $193,450 in 1902–3 and $207,610 in 1905–6. Practically all the talc and pyrites were exported to the United States.

The foregoing figures refer to the respective fiscal years ending 30th June, but in the Report of Mr. Howley, Director of the Geological Survey, to the Minister of Mines, dated 15th March, 1907, the returns appear for the calendar years. Mr. Howley again refers to lack of uniformity in the figures, and says: "I have frequently referred to the great discrepancy between figures furnished to myself and those to the Customs department. They never agree, and in some cases the divergency is so very great that it becomes a question as to how far any of these statistics are to be relied upon. The discrepancies are not so apparent in the quantities of ore raised and shipped as in the values given. As an illustration, 81 tons of antimony shipped last year are valued in the Customs returns at $23,950, and in the figures furnished myself at $4,050. Pilley's Island returns are given in the former at $213,370, as against $84,396 in the latter, being a total excess for these two items alone of $148,874. On the other hand, my returns from Bay Verte Mine and Bell Island show an excess over the Customs' figures of $104,240. In the case of the Bell Island output the increase is accounted for by the enhanced value of the ore consequent upon the enormous demand for iron products now-a-days. With such conflicting figures as are at my disposal, there is no alternative but to accept those furnished me direct by the managers of the mines."

It will be seen from the above that a considerable discrepancy is to be expected between the figures contained in the Customs returns and those of Mr. Howley, and it appears necessary to give in this Report tables from both authorities. The figures in the following table are taken from Mr. Howley's report for the year 1906, and it must be noted that they refer to the calendar year and not to the fiscal year.

Mineral Production of Newfoundland for the Calendar Year 1906.

Product.	Quantity raised.	Total Value of Production.	Value of Minerals Exported.	No. of Persons Employed.
	Tons.	$	$	
Antimony	100	4,050	4,050	25
Copper ore	75,989	360,345	360,345	450
Iron ore	884,986	966,625	959,765	1,370
Gold ore	900	2,800	2,800	22
Pyrites	28,132	84,396	84,396	210
Slate	2,536	25,418	—	95

A comparison of 1906 with 1905 is set out in the following table :—

Product.	Quantity.	Value in Dollars.
	Increase (+) or Decrease (—) in 1906 as compared with 1905.	Increase (+) or Decrease (—) in 1906 as compared with 1905.
		$
Antimony	+ 100 tons	+ 4,050
Brick	— 429,500 M.	— 1,430
Building stone	— 500 tons	— 750
Cobble stone and spawls	— 3,100 „	— 700
Copper ore	— 2,731 „	+ 1,565
Gold ore	+ 900 „	+ 2,800
Iron ore	+ 195,016 „	+ 276,655
Limestone	+ 1,200 „	+ 1,200
Pyrites	— 22,508 „	— 145,134
Sand and gravel	— 48 „	— 120
Slate	— 1,414 „	— 19,582
Talc	— 6,000 „	— 24,000
	—	+ 93,554

Mr. Howley, in commenting upon the figures, remarks : "The output of iron ore from the Bell Island mines greatly exceeded that of any year since the inception of these mines. The value of the ore has advanced 10 cents per ton, and this has had the effect of greatly increasing the figures for the total output of the year. Mining is being actively prosecuted during the winter, and the coming year's output is expected to reach a million tons. The Nova Scotia Company are at present engaged in driving a sub-marine tunnel beneath the waters of the bay on the north side of the island to reach their ore deposits a mile from the shore."

The Dominion Iron and Steel Company of Sidney and the Nova Scotia Steel Company are the owners of large iron mines at Bell Island, Conception Bay, not far from St. John's. Attempts have been made to find the coal measures which are extensively worked on the neighbouring mainland of Nova Scotia, and which are believed to underlie parts of Newfoundland. Seams were found by boring, but of no great thickness. It is proposed to continue the exploration.

Railways.—Railway construction in Newfoundland began in 1881, when the Newfoundland Railway Company turned the first sod for a railway 84 miles long from St. John's to Harbour Grace. The Government subsequently purchased this line, and themselves built the Placentia branch, 27 miles. The line across the country from Placentia Junction on the East to Port Aux Basques on the West, together with branch lines to Carbonear and Lewisport—altogether 526 miles—was completed in 1897. The line is of narrow gauge, and is valuable not only as means of communication between the

East and West Coasts, and as opening up the interior, but also because at Port Aux Basques it reaches a point 91 miles from North Sidney in Nova Scotia, where there is connection with the Canadian Railways. In 1898, the Government transferred the railways, docks, telegraphs, and steamship service of the Colony to Sir Robert Reid, the contractor for the construction of the railway, with an annual subsidy, and a grant of three million acres of land. Both in itself and in its relation to the country, the career of Sir Robert is interesting, for he presents a remarkable figure in Newfoundland. After a successful experience as a contractor for important railway works, both in the United States and Canada, Sir Robert (then Mr. Reid) came to Newfoundland in 1890; he found the country with 111 miles of railroad in operation, with inadequate docks, steamship service, telegraphs and street railways, and in all these respects a great change has taken place which is due to his efforts. He built the railway which is essential to the country's welfare, important dock accommodation was provided at St. John's, an excellent fleet of steamers is in service round the coast of the Island and to the mainland. St. John's has an electric street railway, and a reasonable equipment of telegraphs is in existence.

That the railway and steamship system of the country, its telegraphs and docks together with the street railways and the lighting of its capital should ever have been in the private ownership of one man is a remarkable circumstance. Before Sir Robert turned his attention to the development of the Island in these directions, progress had been very slow. Trade had been conducted by a system of barter, under which the large importing houses had received cod from the fishermen and supplied goods in exchange, very little money appearing to have been in circulation. Various causes have contributed to change all this. Fish is now paid for in cash and the fishermen are free to spend their money wherever they believe the best value is to be obtained for it. Doubtless the railways and steamship service were an important factor in bringing this about. They rendered the country accessible, enabled a considerable number of tourists and sportsmen to visit it, and helped to widen the basis of trade, and I think it is generally admitted that, although the cost of the railways has proved a heavy burden upon the country, the expenditure has been justified by the improved economic condition of the inhabitants and the prospect of more important developments. In 1901 an agreement was entered into under which Sir Robert gave up his proprietary interest in the railroad, surrendered a large area of land and gave up the telegraph lines to the Government, but the entire railway system was leased for a period of fifty years to the Reid Newfoundland Company, all profit or loss being to the advantage or disadvantage of the Company. In 1905 the working expenses exceeded the receipts by $119,666 and in 1906 by $129,907.

Newfoundland Manufactures.—There appears to be no record of the goods manufactured in the Colony, and, therefore, only an incomplete and approximate list can be given of the production of manufactured goods for local consumption in the year 1906. The necessary treatment of fish for export can hardly be described as manufacture, except possibly in respect of the canning of lobsters and salmon. It must be understood that the figures in the following list are not complete :—

Manufactured Articles.	Value of Product.
	$
Aerated waters	24,740
Bed furnishings	18,000
Furniture...	12,775
Leather	131,710
Nails	19,200
Clothing	206,500
Rope, twine, nets and lines	308,000
Soap and candles	50,240
Boots and shoes	299,315
Waterproofs	41,000
Tobacco and cigarettes	86,029
Biscuits and ships' bread	346,352
Confectionery	64,200
Jams	2,000
Fruit syrups	5,500
Total	1,615,561

It may be of interest to give also the preserved fish exports for the last four years:—

Commodity.	1902–3.	1903–4.	1904–5.	1905–6.
	$	$	$	$
Salmon	653	1,117	1,203	660
Lobster	387,466	410,405	512,662	376,490
Cod fish	—	—	496	3,550
Total	388,119	411,522	514,361	380,700

The development of mining, lumbering and industries other than those directly connected with the fisheries has been of assistance in enabling the people to command more regular employment, rendering them thereby less wholly dependent upon a single industry. Formerly they were without work for several months in each year. Although manufacturing is not on a large scale it is yet increasing, and the colonial import duties tend to assist local production by so adjusting the tariff as to reduce the cost of production. It has long been felt that more should be done in the development of the herring fishery than has hitherto been the case, and the Governor, speaking upon this subject, said:—"Realising the vast amount of work that is resulting from the prosecution of the herring fishery and the attention devoted to special methods of cure, in order to encourage our fishing population to turn the herring fishery of this Colony to greater advantage than heretofore, my Ministers will submit for your consideration a Bill to provide for the granting of a bounty for herrings that are specially cured and exported."

The bounty is to be $1 per barrel on herrings cured in the same way as is practised in Scotland, and experiments are now being carried out for drift nets in the outer waters to ascertain whether fish can be secured there when not found further inshore.

Pulp and Paper Industry.—Production of pulp and paper is perhaps the industry which promises the greatest development in the near future in Newfoundland. Some important works are already under construction—the writer visited those at Grand Falls, about 200 miles from St. John's, and easily reached from the capital by railway. While he cannot profess to speak with technical knowledge of the pulp and paper industry, it appeared to him that the position and circumstances of these works gave every promise of an important and permanent industry.

The supply of timber suitable for pulp, according to information derived from sources quite other than the persons interested, is very large, and well placed for transit to the mills, whilst the neighbouring Falls give a head of water which appears likely to provide abundant power for all practical needs. It is stated that other firms are preparing to carry on similar operations elsewhere, and having regard to the rapid depletion of forest reserves in other countries, and to the immense demand for paper throughout the world, it would seem that Newfoundland has substantial reason to expect an important development in this industry. The essentials for successful pulp production may be roughly stated as (1st) the presence and accessibility of suitable timber (spruce), (2nd) water, both to float logs to the mill and to provide the large amount of power necessary to grind the logs, and (3rd) nearness to a shipping port. These factors are believed to exist in Newfoundland, and the desire of the Government to attract an industry providing steady and regular employment to a very considerable number of men, led them to offer very favourable terms which assured to the company a practically perpetual lease of the timber on over 2,000 square miles, important water power, and the admission duty free of machinery and plant for the construction and equipment of the mills. The works are situated only about 20 miles distant from a suitable shipping port, and the town of Grand Falls has now between 800 and 900 inhabitants nearly all of whom are employed in or about the works.

A well-known British firm have acquired timber-cutting licences over 1,300 square miles on the water shed of the Exploits River, together with freehold water power at Bishops Falls. It is proposed to dam the river at this point, providing power for a total installation of about 15,000 h.p., using the power for the driving of pulp and paper mills. The total production in view is about 140 tons per 24 hours of mechanical pulp and 50 tons of sulphite. The quantity to be converted into paper on the spot will be largely determined by future conditions. A large proportion of the wood pulp to be produced will be shipped to England for consumption in the paper mills of the firm, while the remainder of the pulp and the whole of the paper will be put on the market. Preliminary works such as the construction of sidings, roads, and the erection of buildings are now in progress, and it is hoped to have the first instalment of pulp mills ready by the end of 1909.

Other negotiations are proceeding having in view the establishment of further pulp mills. "The Evening Chronicle" of St. John's, on November the 26th last, referred to the conclusion of the negotiations with the Dells Paper Company, of Eau Claire, Wisconsin, affecting a purchase of between 300,000 and 400,000 acres which had been minutely examined, and also a site on which to construct pulp and paper mills, and the same paper on December 13th last referred to negotiations for the purchase by an American corporation of a large timber area at Deer Lake, covering 400 square miles. The position of the paper trade appears to render it probable that such negotiations will lead to important results. The demand, coupled with the position as regards forest areas in Scandinavia and in the United States, points to such an absolute need of new timber areas that no suitable regions are likely to be neglected. The present consumption of paper from wood pulp is stated to be nearly five million tons per annum, half of which is contributed by Europe, with an annual increase in consumption of about 335,000 tons. It may be interesting, as illustrations of the growing demand, to state that the imports of wood pulp into Japan in 1902 were 3,500 tons, and by 1906 they had increased to 16,700 tons, while China has now 200 newspapers, where ten years ago she had none.

The Foreign Trade of Newfoundland.—In considering the foreign trade of a country mainly dependent upon a single industry, and that industry of a kind subject to great fluctuations, it must be borne in mind that the purchasing power of the home market will be directly affected by the success or failure of the main industry—in the case of Newfoundland, fishing,—and that consequently the imports may be expected to present marked differences from year to year, rising or falling with the fortunes of the fishing season, and the consequent ability of the country to export to a greater or less extent. This ruling influence of the principal industry upon the foreign trade of the country may be affected by the construction of public works, such as railways, built with borrowed money, or by disturbed commercial conditions when for any reason public confidence is lacking; and it does not, of course, always follow that all the increased imports occur in the same year as, or even in the year following, increased exports. Moreover, in using values for purposes of comparison, the movement of the prices of commodities must always be taken into account, and, as will be shown later in this Report, this is particularly so in the case of Newfoundland.

Whilst, however, it may be said that the variable nature of the Fishing Industry exercises an important influence upon the foreign trade of Newfoundland, yet it is satisfactory to observe that, after considerable fluctuations and on the whole a persistent downward tendency, in the period from 1888 to 1898, the total trade of the Colony has recently shown a steady upward movement and has more than doubled in the past eight years. The following Table, giving the values of the total trade, and of the imports and exports respectively, for eighteen years, shows the extent of the decline and of the recent recovery.

Foreign Trade of Newfoundland, 1888–1906. (*To* 1894 *years ending December* 31*st.*; *subsequently years ending June* 30*th.*)

Year.	Imports.	Exports.	Total Trade.
	$	$	$
1888	7,420,400	7,396,053	14,816,453
1889	6,607,065	6,854,279	13,461,344
1890	6,368,855	6,099,686	12,468,541
1891	6,869,458	7,437,158	14,306,616
1892	5,012,877	6,386,974	11,399,351
1893	7,572,569	6,280,912	13,853,481
1894	7,164,738	5,811,169	12,975,907
1895–6	5,986,861	6,638,187	12,625,048
1896–7	5,938,334	4,925,789	10,864,123
1897–8	5,188,863	5,226,933	10,415,796
1898–9	6,311,245	6,936,315	13,247,560
1899–1900	7,497,147	8,627,576	16,124,723
1900–1	7,476,503	8,359,978	15,836,481
1901–2	7,836,685	9,552,524	17,389,209
1902–3	8,479,944	9,976,504	18,456,448
1903–4	9,448,664	10,381,897	19,830,561
1904–5	10,279,293	10,669,342	20,948,635
1905–6	10,414,274	12,086,276	22,500,550

The import and export trade of the Colony will be discussed in detail subsequently, but it may be pointed out here that the three countries which chiefly participate in Newfoundland's foreign trade are (as is to be expected) the United Kingdom, Canada and the United States, but whilst they have little short of the whole of the import trade, their share of the export trade is very much less. Thus in the year 1903–4 these three countries supplied 92 per cent. of the imports, but took only 44 per cent. of the exports ; in 1904–5 the shares were 92·4 per cent. and 42 per cent. ; and in 1905–6 93·8 per cent. and 39·4 per cent. The detailed figures are given in Appendix I (page 35).

The Import Trade of Newfoundland.

The following Table shows the imports of merchandise into Newfoundland in the 15 years, 1891–1906 (years ending 31st December up to 1894, and June 30th thereafter), both from all sources and from the United Kingdom, Canada and the United States, these three countries sharing between them in 1905–6 more than 93 per cent. of the total imports into the Colony.

Year.	Total Imports.	Imports from the United Kingdom.	Percentage.	Imports from Canada.	Percentage.	Imports from the United States.	Percentage.
	$	$		$		$	
1891	6,869,000	2,342,000	34·0	2,500,000	36·3	1,527,000	22·2
1892	5,013,000	1,867,000	37·2	1,981,000	39·5	966,000	19·2
1893	7,573,000	2,681,000	35·4	2,887,000	38·1	1,665,000	21·9
Average 1891–3 ...	6,485,000	2,296,000	35·4	2,456,000	37·8	1,386,000	21·3
1894	7,165,000	2,539,000	35·4	2,643,000	36·8	1,577,000	22·0
1895–6	5,987,000	1,876,000	31·3	2,232,000	37·2	1,474,000	24·6
1896–7	5,938,000	1,961,000	33·0	1,594,000	26·8	2,135,000	35·9
Average 1894–7 ...	6,363,000	2,125,000	33·3	2,156,000	33·8	1,728,000	27·1
1897–8	5,189,000	1,519,000	29·2	1,823,000	35·1	1,671,000	32·2
1898–9	6,311,000	1,935,000	30·6	2,088,000	33·0	1,929,000	30·5
1899–1900... ...	7,497,000	2,224,000	29·6	2,805,000	37·4	1,994,000	26·5
Average 1898–1900	6,332,000	1,892,000	29·8	2,238,000	35·3	1,864,000	29·4
1900–1	7,477,000	2,329,000	31·1	2,489,000	33·2	2,088,000	27·9
1901–2	7,837,000	2,244,000	28·6	2,612,000	33·3	2,502,000	31·9
1902–3	8,480,000	2,143,000	25·2	2,870,000	33·8	2,921,000	34·4
Average 1901–3 ...	7,931,000	2,238,000	28·2	2,657,000	33·4	2,503,000	31·5
1903–4	9,449,000	2,479,000	26·2	3,423,000	36·2	2,991,000	31·6
1904–5	10,279,000	2,655,000	25·8	4,106,000	39·9	2,750,000	26·7
1905–6	10,414,000	2,651,000	25·4	3,522,000	33·8	3,609,000	34·6
Average 1904–6 ...	10,047,000	2,595,000	25·8	3,683,000	36·6	3,116,000	31·0

The lowest imports in the fifteen years dealt with were those of 1892, but the following year showed a large increase due in part no doubt to depleted stocks from the previous year, but in part also to purchase of railway materials, as construction was then proceeding. The railway having been completed in 1897, and this disturbing fact removed, it will be seen from the table given on page 11, that the steady increase in exports has been closely followed by an equally consistent advance in imports.

It will be observed from the above table that of the total imports, the British share has gradually declined year by year ; in the triennial period 1891–3 the United Kingdom supplied on an average 35·4 per cent. of the imports, and in the triennial period 1904–6 only 25·8 per cent. ; meanwhile the United States share of the trade has steadily increased to almost precisely the same extent as the British has declined. The Canadian imports have shown considerable fluctuation, and on the whole their proportion to the total has slightly decreased between the first and last triennial periods. But the figures given in the above table relate to imports of all kinds, and it is necessary to point out that a considerable proportion of them consist of commodities, such as raw material and foodstuffs, in which Great Britain cannot compete, upon which processes of manufacture do not constitute an important part of their value, and which for convenience are described as natural products. In the case of both Canada and the United States these form a very large proportion of the commodities imported by them into Newfoundland.

In order to compare the imports of manufactured goods, it is necessary to eliminate the figures representing such natural products. These are shown in the following Table, and it may be interesting to observe their character closely as they indicate the degree to which it is necessary for Newfoundland to import commodities which are usually produced in the country where they are consumed.

Imports into Newfoundland of certain Natural Products.

Articles.	From Canada.				From the United States.			
	1902-3.	1903-4.	1904-5.	1905-6.	1902-3.	1903-4.	1904-5.	1905-6.
	$	$	$	$	$	$	$	$
Animals	129,650	162,160	131,446	133,298	26	—	958	186
Apples	24,343	36,551	32,555	34,117	8,297	6,258	5,338	5,412
Butter, cheese and eggs	114,567	140,183	132,758	105,626	27.338	18,449	18,329	66,664
Cabbage, turnips and potatoes ...	32,137	26,171	25,420	34,131	4,552	7,287	7,254	9,834
Fish	13,994	1,740	10,896	23,659	33	450	81	15
Flour	910,717	1,112,345	1,692,704	1,155,841	472,978	501,010	136,512	666,306
Hay	17,417	57,498	77,457	40,440	2,091	758	2,164	103
Indian corn, Indian meal, oats, oatmeal, pease and pease-meal.	165,877	188,438	183,719	180,217	12,153	2,957	34,537	19,461
Lard and tallow, petroleum and olein.	4,361	10,813	12,714	12,442	300,389	256,977	277,882	350,363
Lumber and shingles and mast-pieces.	10,994	13,944	12,330	14,593	15,000	14,724	23,057	6,654
Meats	91,242	103,251	110,569	113,216	630,063	571,551	598,855	803,451
Oilcake	9,065	19,873	26,181	18,360	46,331	58,566	67,102	52,455
Tobacco leaf and tobacco material	—	—	—	—	42,459	37,511	19,261	17,867
Nickel	—	39,900	—	—	—	—	—	—
Coal	330,617	342,614	389,870	405,781	15,245	44,361	59,500	77,522
Totals	1,854,981	2,255,781	2,838,619	2,271,721	1,576,955	1,520,859	1,250,830	2,076,293

It has been stated that nearly all the imports into Newfoundland are drawn from the United Kingdom, Canada, and the United States, and it does not appear necessary to set out here the figures for other countries. It may be said, however, that their total amounted in 1902–3 to $545,532, in 1903–4 to $552,439, in 1904–5 to $768,702, and in 1905–6 to $631,947. The principal item is molasses, which amounted in 1902–3 to $224,078, in 1903–4 to $218,846, in 1904–5 to $355,476, and in 1905–6 to $199,532. Sugar in 1902–3 amounted to $72,577, in 1903–4 to $52,262, in 1904–5 to $55,849, and in 1905–6 to $48,335. The other chief items are salt, wines and spirits, dried fruits, butter and beans.

The above selected items do not cover the whole of the natural products, but include nearly all of any importance. It is true that the United Kingdom sends into Newfoundland small quantities of some of these products, but the amounts are comparatively small. They were in 1906 :—Butter $1,197, coal $43,952, cheese $522, meats $5,769, oatmeal $1,432, oilcake $1,131, pease-meal $1,140—a total of $55,143. This amount is probably counterbalanced by figures for imports of natural products from the United States and Canada not included in the above list.

Deducting the value of these natural products and also of molasses, which come almost entirely from countries other than the chief competitors from the total importations into Newfoundland, and from the Canadian and the United States imports, we get the following results for the four years 1902 to 1906.

Year.	Total Imports (less natural products).	Imports from the United Kingdom.	Percentage.	Imports from Canada.	Percentage.	Imports from the United States.	Percentage.
	$	$		$		$	
1902–3	4,823,930	2,143,464	44·4	1,014,917	21·0	1,343,959	27·8
1903–4	5,453,178	2,479,138	45·4	1,167,444	21·4	1,470,143	26·9
1904–5	5,834,368	2,654,908	45·5	1,266,950	21·7	1,499,284	25·6
1905–6	5,866,728	2,651,196	45·1	1,250,218	21·3	1,532,899	26·1

The table represents approximately the value of manufactured articles imported into Newfoundland, and a comparison with the table of total imports shows material difference in the relative proportions and in the percentages indicating them. The United Kingdom imports, averaging 45·1 per cent. over the four years, although increasing in value show little change in percentage. The same remark applies to the imports both from Canada, averaging 21·3 per cent., and from the United States, averaging 26·6 per cent. Two-thirds of the total trade in articles which the United Kingdom could supply is taken by the United Kingdom itself, and Canada.

THE NEWFOUNDLAND CUSTOMS TARIFF.

The Customs tariff of Newfoundland comprises 157 items, and the duties imposed by it are mainly *ad valorem;* but there is also a free list which includes 61 items. As the schedules are comparatively short it will be convenient to comment only briefly upon them in this place, and to set out the whole tariff as Appendix II. to the Report.

The highest *ad valorem* rate of duty is 75 per cent. in the case of wheelbarrows, handbarrows, trollies, &c. With this exception and the further exception of alcohol and lithographic articles, which bear a duty of 50 per cent., the maximum duty may be roughly stated to be 40 per cent., and this is the duty applying to all goods not otherwise enumerated in the Act. Of goods liable to duties of this amount a limited number of the more important may be mentioned :—Furniture, carriages, china and earthenware, fancy goods, hats, caps and bonnets, boots and shoes, rubber or leather and waterproofing, jewellery, ready-made clothing (45 per cent.), feathers, ribbons, velvets, silk, laces, &c., trunks and bags.

Important items paying a duty of 35 per cent. are acids, beer, cast-iron pipes, clocks, watches, &c. Dry goods (including cotton and woollen fabrics), groceries, shelf hardware (partly 25 per cent.), paper hangings. Among the articles paying a duty of 30 per cent. are iron forgings, window glass, hair cloth, iron or steel rails and fittings for pipe, locomotives, railway and tram cars, fish plates, switches, automobiles, &c., druggists' stores and medicines, paints, vegetables. A very considerable number of items are subject to duties of 25 per cent., 20 per cent., and 10 per cent.

Under Schedule B. the table of exemptions not only removes many articles for special purposes, such as agricultural implements, animals for breeding, personal effects, articles for the use of the Governor, the army and navy, the Government, Municipal Council, or consuls, articles for religious purposes and sportsmen's requisites, &c., but also includes boiler and ships' plates of $\frac{1}{4}$-inch in thickness, certain machinery, wheat and flour, hides, hoop iron, Indian corn, kerosene oil, machinery of many kinds, molasses, oilcake, peasemeal, pig iron, steel shafting, and many other similar articles.

The following Table shows the amount of duties levied at the various rates for the years 1904–5 and 1905–6, and the increase or decrease in each case :—

Ad valorem rate of Duty.	Amount Collected.			
	1904–5.	1905–6.	Increase.	Decrease.
Per cent.	$	$	$	$
75	107	181	74	—
60	51	41	—	10
50	15,118	15,910	792	—
45	238,410	244,130	5,720	—
40	762,960	760,789	—	2,171
35	1,493,438	1,541,723	48,285	—
30	297,728	312,453	14,725	—
25	238,782	235,578	—	3,204
20	219,476	250,398	30,922	—
15	104,124	117,347	13,223	—
10	230,047	210,230	—	19,817
5	63,059	79,949	16,890	—

It will be noted that Newfoundland does not offer any preference to British goods.

COMPETITION WITH THE UNITED KINGDOM IN THE NEWFOUNDLAND MARKET.

Coming now to the more detailed examination of the Newfoundland import trade in regard to those commodities, not being natural products, which the United Kingdom can supply and with which her manufacturers and merchants are concerned, it will be of interest to set out in the following table an analysis of the imports into Newfoundland of manufactured goods from the United Kingdom and her two principal competitors.

Statement showing the value of the Total Imports of All Kinds and of manufactured articles only into the Colony of Newfoundland from the under-mentioned countries during 1905–6, distinguishing the Principal Classes of Manufactured articles imported from those Countries :—

Countries whence Imported.	Total Imports.		Principal Imports of Manufactured Articles.	
	Of all Kinds.	Of Manufactured Articles only.	Articles.	Value.
	$	$		$
United Kingdom	2,651,196	2,590,704	Textile Manufactures (Woollen, Cotton, and Silk).	1,019,410
			Metal Manufactures	270,045
			Fancy Goods	229,159
			Hemp, Yarn, and Oakum	164,313
			Cordage and Nets	66,018
			Hats and Caps	60,512
			Books and Stationery	55,615
			Wines, Spirits, Ales, and Aërated Waters ...	52,874
			Earthenware, Chinaware, and Drain Pipes ...	32,199
			Paints and Colours	28,867
			Drugs, Dyes, and Chemicals	27,653
			Soap and Ingredients	25,682
			Sugar	21,325
			Paper and Manufactures	17,923
			Leather and Manufactures	16,032
			Cabinet Ware	13,393
			Glass and Glassware	12,650
			Furs	12,294
United States ...	3,609,192	1,532,899	Metal Manufactures	344,823
			Textile Manufactures (Woollen, Cotton, and Silk).	206,666
			Leather Manufactures	175,243
			Sugar	139,999
			Cordage and Nets	62,118
			Hemp, Yarn, and Oakum	57,761
			Books and Stationery	36,792
			Fancy Goods	30,950
			Paints and Colours	23,459
			Paper and Manufactures	22,381
			Drugs, Dyes, and Chemicals	19,896
			Glass and Glassware	10,925
			Hats and Caps	10,672
			Clocks and Watches	10,605
			Soap and Ingredients	7,651
			Cabinet Ware	7,006
			Wines, Spirits, Ales, and Aërated Waters ...	5,299
Canada	3,521,939	1,250,218	Metal Manufactures	255,325
			Leather Manufactures	141,253
			Textile Manufactures (Woollen, Cotton, and Silk).	113,392
			Books and Stationery	49,133
			Cabinet Ware	44,843
			Drugs, Dyes, and Chemicals	44,086
			Paper and Manufactures	39,187
			Paints and Colours	37,152
			Cordage and Nets	23,696
			Fancy Goods	23,035
			Hats and Caps	7,221
			Glass and Glassware	6,355
			Brooms and Brushes	5,683

It may be desirable to add in this place a summary of the imports into Newfoundland from countries other than those in the above list. The following Table gives the sources of supply, and the total imports and the value of the principal articles from each source in 1905–6. The countries are arranged according to the value of imports :—

Country.	Total Imports into Newfoundland 1905–6.	Principal Imports, 1905–6.	
British Dominions :—	$		$
British West Indies	222,727	Molasses	199,532
		Rum	15,135
		Cigars	3,801
		Sugar	2,281
Ceylon	42,925	Tea	42,880
India	7,288	Tea	6,818
Gibraltar	6	Cigars	6
Spain	113,841	Salt	99,588
		Dried Fruits	8,528
		Wines	2,550
Germany	60,638	Sugar	32,216
		Rice	6,351
		Hardware	3,518
		Pianofortes, &c.	3,346
Holland	36,483	Butterine and Oleo	11,141
		Beans	10,567
		Cotton Fabrics	5,611
		Groceries	2,485
Belgium	32,181	Sugar	13,700
		Glass (common)	8,113
		Cement	4,835
Portugal	25,957	Wines	8,438
		Salt	6,279
		Corks	2,350
		Vegetables	2,280
Greece	23,697	Fruits	22,905
France	23,081	Articles for Manufacture of Butterine Oils	15,795
		Brandy	3,848
		Wines	1,081
St. Pierre	11,074	Salt	3,903
		Potatoes	1,157
Denmark	10,000	Ships of Foreign Registry	10,000
Norway	6,790	Hardware	3,895
		Cordage	1,051
Russia	4,066	Hemp, &c.	3,245
		Tar	821
Brazil	2,693	Hides (raw)	2,529
Sweden	2,611	Matches	1,799
		Hardware	521
American West Indies	2,320	Cigars	2,319
Italy	1,450	Salt	1,230
Switzerland	1,006	Groceries	1,006
Austria	828	Jewellery	231
		Cabinet Ware	153
Japan	285	Small and Fancy Wares	191

The above Table shows the extremely limited extent to which countries other than the United Kingdom, Canada and the United States participate in the import trade of Newfoundland. The total imports from all these other countries amounted in 1906 to only $631,947, and of this amount $408,418 or 64 per cent. was for four articles, viz., Molasses ($199,532), Salt ($111,000), Tea ($49,689), and Sugar ($48,197), the remainder being made up of numerous small items. Over 92 per cent. of the Colony's imports of manufactured goods are supplied by the three chief competitors.

Coming now to more detailed examination of the import trade, it appears possible to divide the manufactured goods imported into Newfoundland into two main groups :—

(1) Commodities in regard to which British manufacturers are predominant, and so far have not been seriously affected by Canadian or foreign competition ; and

(2) Commodities in regard to which British manufacturers have to encounter severe competition from Canadian or foreign (chiefly American) manufacturers, who in some cases are predominant.

(I).—*Commodities in regard to which the United Kingdom is predominant.*

This group includes textiles, which constitute about two-fifths of the total British imports into Newfoundland: fancy goods, including ribbons, velvets, laces, thread, buttons, pins and needles, jewellery, electro-plated ware, &c., hats and caps, hemp yarn and oakum, earthenware and china, and soap.

Textiles.—The total imports included under the head of woollen, cotton and silk goods amounted in 1905–6 to $1,350,592, as compared with $991,261 in 1902–3—an increase of 36 per cent.

The United Kingdom, Canada and the United States together accounted for 99 per cent. in 1905–6 of the total imports of this group into Newfoundland, the share of the United Kingdom amounting in that year to $1,019,410, or approximately 75·4 per cent., while the share of Canada amounted to $113,392 and that of the United States to $206,666.

The classification of Customs entries is designed with regard to the amount of duty upon respective items and not for the purpose of showing the quantities of particular commodities; accordingly it does not permit any accurate division between cotton and woollen goods. It may be mentioned as an illustration of the difficulty arising from this classification that imports of blankets, quilts, carpeting, rugs, floor cloth, linen woven goods and gloves are all given under one figure for each of the countries, and it is not possible to separate them. The figures must therefore necessarily be approximate, comparison being only possible in certain lines such as serges, tweeds, cotton fabrics, &c. It may further be mentioned that the classification was altered considerably between 1902-3 and 1905-6. As an illustration, tweeds, cotton fabrics, women's dress goods and flannel up to 1905-6 appear to have been included under the heading of dry goods, but for that year they are given separately. The above facts must be taken as accounting for the very limited information under the heading of "Textiles." The entry under "Apparel" refers to apparel of British subjects dying abroad.

The following Table shows as far as possible the textile items under the headings given in the Customs Returns:—

Items.	1902–3.	1905–6.
	$	$
Readymades	177,839	209,360
Dry goods	749,055	331,177
Cotton fabrics...		319,440
Tweeds...		179,796
Women's dress goods		146,082
Flannel		43,961
Canvas	38,412	62,891
Yarns	19,351	30,796
Bags	442	18,220
Cotton yarn	3,139	4,875
Sails	1,050	1,938
Wool	1,758	1,505
Apparel	215	551

The next Table shows the principal countries of supply and the principal articles imported from each.

Principal Countries of supply and the Principal Articles imported from each.

Commodities.	1902–3.	1905–6.	
	$	$	
United Kingdom:—			
Dry goods	596,094	236,978	821,216.
Cotton fabrics		236,207	
Tweeds		167,484	
Women's dress goods		137,860	
Flannel		37,010	
Bags		5,677	
Readymades	141,150	159,309	
Yarns	19,199	30,648	
Canvas	7,426	5,600	
Cotton yarn	101	899	
Wool	120	745	

Principal Countries of supply and the Principal Articles imported from each—cont.

Commodities.	1902–3.	1905–6.	
	$	$	
Canada :—			
Dry goods	64,451	34,071	66,551
Cotton fabrics		14,406	
Tweeds		10,947	
Women's dress goods		6,069	
Flannel		1,058	
Canvas	7,545	26,648	
Readymades	12,048	10,523	
Bags	442	6,403	
Cotton yarn	1,066	1,335	
Sails	455	895	
Wool	1,342	676	
United States :—			
Dry goods	87,475	57,863	135,768
Cotton fabrics		62,989	
Bags		6,000	
Flannel		5,486	
Women's dress goods		2,082	
Tweeds		1,348	
Readymades	24,515	37,276	
Canvas	23,441	30,643	
Cotton yarn	1,972	2,653	

The largest single item falls under the heading of dry goods, but in the year 1905–6 a little more information was afforded, because there appears for the first time entries under the heading of cotton fabrics, flannel, tweeds and women's dress goods, which appear to have been formerly included in dry goods. It is necessary to point out these facts in order to explain why fuller comparative figures are not given in this report. To illustrate the impossibility of doing this, it may be pointed out that although the total of imports in 1905–6 are 22·8 per cent. higher than in 1902–3, and this condition certainly applies to textiles as well as to other classes of goods, yet the figures for dry goods in 1902–3 are $749,055, and in 1905–6, $331,177, while for the commodities above named no figures appear for 1902–3.

It will be seen from the above Table that the United Kingdom practically rules the Newfoundland market in *textiles*, more particularly in woollen goods, largely on the ground of quality.

A certain amount of clothing is made in small shops which turn out underclothing and readymades from material chiefly obtained from the United Kingdom. The larger importers visit the United Kingdom regularly for the purchase of goods, and in many instances complain of the comparative indifference of British manufacturers to the exact needs of the Newfoundland market, using an expression very frequently addressed to me in Canada that British makers were "too conservative."

An important buyer in St. John's told me that when a new article likely to find favour with his customers is offered from the United States, Germany or elsewhere, he immediately sends home (*i.e.*, to the United Kingdom) samples and asks for quotations : the first result is a demand for a large order which shall warrant necessary alterations of machinery. This is often impossible at first, although the whole Colony will want the goods after seeing them. This is taken in Newfoundland to indicate lack of proper and necessary enterprise on the part of the British makers. Another large importer informed me that his firm was building a small mill for the production of tweeds and had every hope of success, and said he had sent samples of goods to the United Kingdom to be matched, with discouraging results.

In the case of textiles more than any other branch of trade buying has been conducted by direct contact between the buyer and the producer or merchant rather than by means of travellers. One result has been that producers have enjoyed educational advantages denied to other trades owing to the presence and persistent efforts of competent men thoroughly acquainted with Newfoundland conditions, and there is little that can be said to advantage in the way of suggestion by a visitor to Newfoundland. I interviewed a large number of gentlemen engaged in this trade and of course heard different opinions expressed. In the main, however, the views pressed upon me were that while there has been a marked increase in the British efforts to meet the demands of the market, there is still room for improvement. Of course it is necessary to discount to some extent the opinions of buyers which being formed from a different point of view cannot be expected to coincide exactly with those of sellers.

Laces, hosiery, curtains, ribbons, embroideries, gloves, haberdashery, silks and piece goods appear to be lumped together under the heading of dry goods or small wares.

Hats and Caps.—This is one of the articles shown in the imports in which it is possible to compare the figures over some years. In the case of carpets, hosiery and underwear, there is no material upon which this can be done. The hat chiefly worn in Newfoundland is the felt hat, caps being of tweed. In this trade, the United Kingdom in 1905–6 provided 77·2 per cent. of the imports, the remainder being divided between the United States and Canada in the proportions of 13·6 per cent. and 9·2 per cent. respectively, the figures being for the United Kingdom, $60,512 ; United States, $10,672 ; and Canada, $7,221. The increase under this heading was from $53,841 in 1902–3 to $78,411 in 1905–6. The United States and Canadian shares have increased substantially since 1902–3, whilst the British proportion has declined from 82 to 77 per cent. The British imports of hats and caps in 1902–3 were $47,148, and in 1905–6, $60,512, an increase in amount of trade being shown with a decrease in the percentage of that trade.

Small Wares.—Under the heading of Small Wares there appear dressed feathers, velvets, ribbons, and laces. The entry for 1902–3 is under the head of Small Wares, but without the names of the commodities, thus :—

1902–3.

		$
Small Wares	United Kingdom	126,006
	Canada	14,341
	United States	6,063
	Japan	614
	Sweden	7
	St. Pierre	5
		$147,036

The figures given for 1905–6 are, however, as follows :—

		$
Small Wares— Dressed Feathers, Ribbons, Velvet, and Laces.	United Kingdom	149,436
	Canada	13,958
	United States	8,322
	Germany	208
	France	7
	St. Pierre	6
	Japan	161
		$172,098

It will appear from this table that of the articles mentioned, the United Kingdom supplied in 1905–6 no less than 86·8 per cent., the balance being divided practically between Canada and the United States.

A further entry under Small Wares comprises sewing cotton, thread, buttons, pins and needles, boot and stay laces, which are shown as follows in 1902–3 :—

		$
Small Wares	United Kingdom	35,828
	Canada	368
	United States	1,898
	St. Pierre	1
		$38,095

And in 1905–6 as :—

		$
Small Wares— Sewing Cotton, Thread, Buttons, Pins and Needles, Boot and Stay Laces.	United Kingdom	46,086
	Canada	3,357
	United States	4,856
		$54,299

In this instance again it will be seen that the United Kingdom holds nearly all the trade, but that the percentage of increase is much greater in the case of Canada and the United States than that of the United Kingdom.

In hemp, yarn, and oakum the position is satisfactory, almost the only competition coming from the United States with $57,761, as compared with $164.313 from the United Kingdom. The United Kingdom imports of *wines and spirits* were in 1906 $52,874, against a total from all other sources of $40,273. In *earthenware and chinaware* the United Kingdom has almost a monopoly. In *soap and ingredients*, the United Kingdom has a long lead, her imports being $25,682, against Canadian $3,454, and United States $7,651.

(2.) *Goods in regard to which there is severe competition from Canada or Foreign Countries, which in some cases have become predominant.*

This group includes machinery, steel, nails, tinware, hardware which appear under the heading of metal manufactures, and is nearly equally divided between the United Kingdom $270,045, Canada $255,325, and the United States $344,223 in 1906. In the item of cranes, and mining machinery, the United Kingdom is badly beaten, her figures for 1905–6 being $18,868 as against $118,785 for Canada, and $95,798 for the United States. In steel the position is nearly as bad on very much smaller figures. In hardware both the Canadian and United States figures show a steady increase against a decrease from the United Kingdom, the figures of imports from the latter country being in 1901–2 $138,319, from Canada $42,757, and from the United States $70,594, the corresponding figures in 1905–6 being $134,156, $63,007, and $99,233.

Edge Tools are almost entirely American, largely on the ground of better packing and also because of difference in design and weight. *Axes* are almost entirely American, on the ground of cheapness. *Planes* again are American. No doubt the British make is of superior quality, but it is the American that fills the market, and this appears to be an instance of loss of trade due to refusal of British makers to supply the article demanded. Certain kinds of *Locks* and *Hinges* are entirely American, mainly on the ground of price, but also on the ground of packing. *Files* are almost wholly American. American *Chain* is ousting the British article chiefly on the ground of price, quality being about equal. This appears to be due to the successful result of properly equipped and organised factories as against the system of the black country.

In cabinet ware, as might be expected, the United Kingdom is badly beaten, the principal imports in 1906 being from Canada, $44,843 ; the United Kingdom contributed $12,650, and the United States $7,006. In paints and colours Canada has a strong hold, the United Kingdom figures being $27,653, Canada $37,152, and the United States $23,459. In leather the United Kingdom has almost lost the trade to Canada and the United States, the British figures being $16,032, Canada, $141,253, and the United States $175,243. In the case of sugar the British import in 1906 was $21,325, the Canadian $3,650, and the United States $139,999, from which it appears that the United States commands this trade, but the figures have undergone remarkable variations in the last few years.

CAUSES OF THE SUCCESS OF CANADIAN AND FOREIGN COMPETITION.

Geographical position of Newfoundland.—It is obvious that one of the most important considerations in regard to the course of trade is that of geographical position, and although the position of Newfoundland does not favour a trade other than British in anything like the same degree as the position of Canada does, it must still be remembered that the island lies only 50 miles at its nearest point from the mainland of Canada, and that St. John's is only about 1,050 miles from the important American port of Boston, whereas it is 1,926 miles from Liverpool. Although the population of Newfoundland, owing to several causes, is of somewhat exceptional character and the market provided by its needs is influenced by this fact, yet the general conditions pertaining to comparatively new countries are very much alike, and in this respect American and Canadian manufacturers enjoy advantages of some importance. They are also much helped by the greater ease with which their commercial travellers can visit the country, and there is no doubt whatever that this cause operates to some considerable extent in the encouragement of their trade. I was informed in St. John's that the commercial hotels there were supported almost entirely by American and Canadian travellers, and that they saw ten of these to one from the United Kingdom. The same story is told by merchants and storekeepers.

There is no doubt also that the United States, a very important competitor, is admirably served by its commercial agents. Not only are there frequent references to Newfoundland in the Daily Consular and Trade Reports issued at Washington, but Mr. Charles Pepper, a gentleman who commands the respect of everybody who reads his report, was commissioned by the United States Government in 1905 to report upon Canada and Newfoundland. He does so on Newfoundland in a letter contained in the August, 1905, number of the Monthly Issue of Consular and Trade Reports published by the Department of Commerce and Labor, Bureau of Manufactures, Washington. As these documents do not always reach British manufacturers, it may be of interest to produce here somewhat long extracts from Mr. Pepper's report, and also to refer to the reports from the United States consuls and commercial agents in Newfoundland, which appear at intervals in the daily publications above mentioned.

It must be remembered that Mr. Pepper's Report is written entirely in the interest of American manufacturers and merchants. He begins with a table of the principal exports from Canada to Newfoundland for the obvious reason that his countrymen being advised of the exact amount and character of such imports will be the better able to consider the best means of supplanting them by their own productions.

He first refers to the fact that Canada, for the year ending June 30th, 1904, exported wheat flour to the value of $1,000,000 to Newfoundland, and points out that the United States millers ought to have a share of this trade, and then continues :—

"When it comes to manufactured articles, the United States also occupies a good position. Canada has now a trade in leather and in boots and shoes which, with proper effort, could be diverted, as the manufactured product from the United States usually gives greater satisfaction. The shoe factory in St. John's gets most of its leather from Brooklyn. Between the competition of Canada and the United States the trade of England with Newfoundland is steadily losing ground, in the relative sense. That is, it remains about stationary, while the Colony from year to year has increased imports. The largest aggregate of any one class of articles imported from England comes under the heading of dry goods, and amounts to about $650,000 per annum. The United States only exports $130,000 to $150,000 worth of dry goods to Newfoundland, but the trade is a growing one, and Newfoundland merchants are now visiting New York, Philadelphia, and Boston *en route* to England to make their purchases. In ready-made clothing and hats and caps the United Kingdom has the advantage, as also in cordage and fishermen's outfits, but the United States is gaining some of this trade. In household hardware, and in tools of all kinds, the United States is ahead, but there is an opportunity for gaining more of these imports.

"The development of the lumber industry and the systematic exploitation of the pulp wood, which recently has been undertaken by large combinations of capital, offer further inducements for the importation of machinery from the United States, which always has had the preference. The copper deposits also are being worked chiefly by American citizens, and the mining machinery used for this purpose will be imported from the United States.

"Outside of the products of the fisheries, the chief exports from Newfoundland to the United States are minerals, the copper ore ranging in value from $200,000 to $250,000 and the iron ore from $60,000 to $70,000. The Colony now is also building up an export trade in whale fertilizers and seal products, for which there is a good demand in the United States.

"The growth in the prosperity of Newfoundland during the last few years, which has resulted in placing the Colony in a very strong financial position with a balance of trade in her favour, has been due chiefly to the improved condition of the fishing industry, though the development of the pulp wood and other forest products and some increase in the output of the mines have had an appreciable effect. The position as respects exports will be better understood from the statement that during the last year for which revised statistics are available the total amount was $10,400,000, of which products of the fisheries represented $8,276,000 ; mines, $1,289,000 ; furs and skins, $350,000 ; forests, $325,000. For the same year the total of the imports reached $9,450,000.

"The character of the Newfoundland market and the articles which find the readiest sale may be understood from a summary of the value of leading imports during that year. They were as follows :—

Imports.	Value.	Imports.	Value.
	$		$
Beef	213,000	Wines and spirits	75,000
Pork	395,000	Flour (392,000 barrels)	1,614,000
Butter...	118,000	Leather and leatherware	303,000
Salt	103,000	Hardware (iron and steel, railway materials, &c.).	939,000
Sugar	139,000	Cottons, woollens, silks, linen and apparel.	1,338,000
Tea	178,000	Coal (164,000 tons)	512,000
Molasses	297,000		
Tobacco	90,000		

"The United States has shared more than any other country in the increased buying power which has been developed by the inhabitants of Newfoundland. In the period from 1888 to 1892, England's share of the total trade was 33 per cent., Canada's 20 per cent., and that of the United States 14·5 per cent. In the period from 1900 to 1904, England's proportion had dropped to 24·5 per cent., Canada's had grown to 21·3 per cent., and that of the United States had increased to 21 per cent. ; but at the present time Canada is making a persistent, systematic and well directed effort by every means at the command of the Dominion Government to secure a larger proportion of this trade at the expense of the United States. For that reason I beg again to direct attention to the movement in the flour trade and to the leather, hardware and other manufactures, which, with a full knowledge of the circumstances, may be held by the United States. But this cannot be done unless the Canadian competition is met at all points and the Newfoundland market closely studied."

The above is a good example of the valuable information regularly secured for the benefit of the American manufacturer. We know something of the successful character of American methods elsewhere, and it is the opinion of persons in a position to watch their daily operation that no small share of that success is due to the thorough and businesslike way in which information is collected and provided for the benefit of persons engaged in manufacture in the United States. Most of the remarks upon this subject appearing in the writer's report to H.M. Board of Trade upon his Canadian mission also apply to Newfoundland, and a reference to that report will show how far the writer considers this to be the case, and that he has in some cases reproduced in the present report the statements made there.

Trade Methods.—Under this general heading may be included a number of matters in regard to which in many branches of trade our foreign competitors show themselves, as a rule, superior to British traders. Perhaps the most important of these is :

(a) *Trade Representation.*—British manufacturers have depended very much in the past upon merchants and agents, while their competitors from the United States have made great efforts to get into direct contact with the consumer. The United States travellers in Newfoundland, as in Canada, are consequently almost entirely *manufacturer's* travellers, and as a result they have generally a much more detailed and technical knowledge of the products which they sell than has the ordinary British traveller, who is in the main a *merchant's* traveller. The latter is not always in close contact with the manufacturing processes, and he is not necessarily interested in pushing a particular class of goods or a particular article.

Canadian and American manufacturers are quite willing to take any amount of trouble, neglecting nothing likely to effect a sale, in offering goods, showing goods, and meeting buyers' wishes in regard to the nature of the goods, delivery, or terms of purchase. The result has been, to some extent, the creation of an impression amongst buyers that British merchants and manufacturers are inclined to be indifferent to the Newfoundland market, regarding it as almost insignificant in comparison with their total trade ; and to this attitude the keenness of the American and Canadian manufacturers, as shown by their representatives, forms in Newfoundland opinion a pleasant contrast.

If I may repeat here what I have already said in the Report on the Conditions and Prospects of British Trade in Canada, "the British manufacturer, with his old established trade, has trusted largely to merchants and agents for distribution, and has concerned himself almost solely with production; manufacturing for a world-wide market he has not until recently found it necessary to specialise with regard to particular markets. The American manufacturer has not devoted himself merely to production, but has given very much attention to distribution also, undertaking the work directly, eliminating the middleman, and consequently making for himself a detailed study of each particular market in which he deals. It is impossible to believe that the British manufacturers and merchants, with their long and unsurpassed experience in all parts of the world, could not, if they choose, deal with this problem of distribution under the new conditions of world trade, as effectively and successfully as they have dealt with the problem of production in building up in the past the great fabric of British industry. But in order to accomplish this task successfully, British manufacturers and merchants must either visit the market themselves or they must select as travellers the very best men available, so that they may be able to give them as much freedom of action as possible, and to acquiesce in their judgment." It is a most instructive fact that in one great branch of the Newfoundland import trade in which the United Kingdom may fairly be described as supreme—the dry goods trade—business is conducted more directly between the buyer and the United Kingdom producer or merchant than in any other.

(b) *Adaptation of Goods to Newfoundland requirements.*—American manufacturers have in many cases shown themselves more ready to comply with the exact requirements of Newfoundland buyers, and to produce goods of the precise quality and character demanded in Newfoundland, than have their British rivals. In the case of hardware it is stated that American designs are much more adapted to Newfoundland needs. In regard to builders' hardware and mechanics' (especially carpenters') tools, the same complaint is made of the unsuitability of the ordinary British articles, and the difficulty of getting from manufacturers in the United Kingdom what customers want. In the case of structural iron and steel, Newfoundland has adopted United States standards, and architects and builders are accustomed to them, yet it is only seldom that British manufacturers can be induced to quote on American specifications or produce according to them, and so the orders go to the United States. It is clear, however, that if British traders will only make an effort to meet Newfoundland wishes exactly they can not only hold what trade they have but may even recover some which seems at present lost.

(c) *Quality of Foreign Goods.*—The superiority of Canadian and foreign goods over British manufactures, which is alleged in a number of cases, is in various directions. In some instances actual superiority in quality and workmanship is claimed for foreign goods: illustrations of this are furnished by many metal manufactures (edge tools, iron planes, shears and trimmers, saws, files, proof chain, steel axles, car wheels, &c.), in all of which the United States have secured a large proportion of the trade. In other cases the superiority lies in greater suitability to Newfoundland conditions; examples of this are agricultural machinery and implements, locomotives, and pianos. Another point of superiority from the view of the Newfoundland buyer is cheapness; preference is given, on the ground of price, to such foreign commodities as machinery, steel rails, and edge tools, watches and clocks, common window glass, &c. It must be remembered that in some of these cases superior quality and lower prices go together.

(d) *Miscellaneous Trade Methods.*—American and Canadian manufacturers and merchants are credited with better and more attractive methods of *packing*, in the case for example of hardware, other metal goods, and china and earthenware. The desirability of more energetic and better planned *advertisement* is constantly urged: where British traders do advertise it is said that they frequently fail to do so in the right way, while the United States manufacturers in particular have made a scientific study of the matter. As regards the *quotation of prices* by British manufacturers or merchants, goods sent to Newfoundland are generally quoted either at works in Great Britain or f.o.b. port of shipment, leaving freight and duty to be calculated by buyers, and this is a source of frequent irritation. Sometimes small but unexpected items of charge appear in the invoices, such as Cartage to docks, Bill of Lading, Primage, &c., and these are always an occasion of annoyance and prejudice to business. American and Canadian shippers are willing to take more trouble in this matter and quote c.i.f. naturally in dollars and cents, so that a buyer knows exactly what he has to pay for his goods. Although the currency in Newfoundland consists of dollars and cents the necessity for quoting prices in this way is probably of less importance than in Canada, owing to the greater familiarity with British currency in Newfoundland. The same remark does not, however, apply to *weights and measures*; here the Canadians and Americans have an advantage, since their currency and standards are identical with those of Newfoundland.

(e) *Consular Representation.*—There are in Newfoundland 33 Consuls and Consular Agents. The countries and numbers of such officers are as follows:—Belgium 1, Brazil 2, Denmark 1, France 1, Germany 2, Italy 1, Netherlands 1, Norway 1, Portugal 11, Spain 5, Sweden 1, United States 5, and Canada 1.

It will be seen that Portugal has 11 Consuls in Newfoundland, Spain 5, and the United States 5. Reference to the statistics of imports from the first two of these countries makes it clear that their consular service is not maintained primarily with regard to the sale of manufactured goods in Newfoundland, and therefore it is probably safe to assume that the United States presents the most important commercial service in Newfoundland.

The issue of the Monthly Consular and Trade Reports of the Department of Commerce and Labor Bureau of Manufactures at Washington, dealing not only with Newfoundland but with every conceivable economic subject all the world over, is an admirable undertaking, and without doubt of very great assistance to the extremely alert American manufacturer, who as a rule avails himself very fully of the valuable information afforded; and it would appear that similar trade representation in Newfoundland might be of substantial value to British trade also.

It may be convenient to refer here at some length to some of the communications from Newfoundland contained in the American Consular Report, because although they are designed for the assistance and encouragement of our rivals, the information contained is as valuable to one competitor as another, and it is desirable to know exactly what advice is being offered to opponents; moreover, the remarks are from a capable observer resident at St. John's, and largely coincide with the observations of the writer of this Report. The following extracts are from statements appearing in the American Daily Trade Report of March 3rd, 1906.

"The Foreign Commerce of Newfoundland, as far as its imports are concerned, is pretty equally divided between the United Kingdom, the Dominion of Canada, and the United States, as the following statement, taken from the report of the Consul at St. John's, shows.

Imports and Exports of Newfoundland, by Countries, in 1904 *and* 1905.

Country.	Imports.		Exports.	
	1904.	1905.	1904.	1905.
	$	$	$	$
United Kingdom	2,497,100	2,654,900	1,994,000	1,941,000
Dominion of Canada ...	3,423,300	4,105,600	1,102,700	1,135,800
United States	2,991,000	2,750,100	1,470,500	1,418,600
All other countries	537,200	768,700	5,814,700	6,174,000
Total	9,448,600	10,279,300	10,381,900	10,669,400

"It will be noted that while the imports of Newfoundland are almost wholly with the three countries named in the foregoing list, the exports to "all other countries" comprise about six-tenths of the exports of the colony which is accounted for by the large exports of codfish to "other countries," to Portugal and Brazil chiefly.

"The declared imports from the three chief competing countries to Newfound land are herewith given for 1904 as the latest available, and grouped into three general heads:—

Product.	Imports.		
	From United Kingdom.	From Canada.	From United States.
	$	$	$
Alimentary products	329,000	1,610,000	1,499,000
Products necessary to industry	225,000	558,000	273,000
Manufactures	2,159,000	731,000	876,000
Total	2,713,000	2,899,000	2,647,000

"The most notable thing in the British exports to Newfoundland is the very large amount of apparel—$495,000, more than one-sixth the value of the total exports. On turning to British official statistics it is found that $445,000 worth of this apparel is made up of woollen and woollen-mixed goods, which shows the character of this class of manufactures required by the people to meet the demands of their rugged climate and calling. It is especially mentioned that this apparel is "not waterproof." This was further supplemented by $231,000 British woollen cloth. The British sales of haberdashery and millinery, arms and ammunition, fishing tackle, glass and china ware, jute goods, linen and linen yarns were also large, while in cotton piece goods the mother country supplied $191,000 in value against the $36,000 from the United States and $26,000 from Canada. In other cottons, however, Great Britain supplied $45,000 value, Canada $12,700, and America $67,000.

"Newfoundland purchased $30,000 worth of oilcloths from the United Kingdom and none from America, and $27,000 paints and colours from the former and only $14,000 from America. China and earthenware showed the disparity of $33,000 from the United Kingdom and none from America. In the metal line, however, the United States led with sales amounting for machinery to $143,000, Canada selling $43,000 and Great Britain $26,000. The figures were reversed in iron and steel manufactures, the latter supplying $145,000 in value, the United States $86,000 and Canada $59,000. In paper and stationery the United States supplied but $17,000, while $30,000 were shipped from Great Britain and $50,000 from Canada.

"Newfoundland is particularly well situated for favourable trading with the United States, yet some unfavourable phases of the trade of 1904, as shown in the detailed exports, can only be explained on the hypothesis that manufacturers either overlooked or ignored the market. A few years ago American flour dominated the Newfoundland market, yet in 1904 Canadian flour entered the market to the value of $930,900, while American flour reaching the market in the same year amounted to only $473,800. Canadian boots and shoes in 1904 were exported to the colony to the value of $76,500 against $17,300 worth of American boots and shoes, and yet the United States sold nearly $1,000,000 worth of boots and shoes to the dominion itself during that year. To this should be added the important fact that Newfoundland is as much within the zone of the Boston boot and shoe trade as almost any portion of the United States outside of New England.

"The imports to Newfoundland from the United States during the year 1905 amounted to only $2,444,400, a decrease of $206,400 from those of the preceding year. The details of this 1905 trade are not available in form to show the articles wherein this decrease occurred. The decrease, however, shows that exports to Newfoundland are falling off, and when we consider that exports to the Dominion of Canada are steadily increasing, in the face of a discriminating tariff, which gives a 33⅓ per cent. advantage to the United Kingdom, it seems unaccountable why our exports to Newfoundland, where Canada and the United Kingdom have no tariff advantage, should be decreasing. This can only be accounted for, as before said, by the inattention of our manufacturers to the markets of Newfoundland, an inattention which is taken advantage of by Canadian and British competitors. There is no valid reason why the greater part of the foreign products consumed in Newfoundland should not be supplied by the United States."

On June 9th, 1906, there appeared the following :—

"The Consul at St. John's submits a report showing that the remarkable and steadily sustained prosperity, which Newfoundland has enjoyed of late years, is an inspiration to American exporters for greater efforts in order to secure a preponderance of its trade." He writes :—

"An analysis of the trade returns of the Colony, which are only compiled annually, and are not available until tabled in the colonial legislature in the month of March following the fiscal year which they embrace, show that in the great majority of instances the import of commodities from Canada had increased at the expense of the United States, a fact attributable in part to the friction arising out of the fishery dispute between Newfoundland and the United States.

"There is need for vigorous action by American manufacturers if they would hold this growing and profitable market. The prosperity of the island is so stable and its trade conducted on such conservative lines that insolvencies are rare, and its chief commercial concerns enjoy a high rating with credit agencies. The financial standing of the Colony is such that its Treasury reports a surplus of $134,000 for the last fiscal year, making the sixth successive surplus, out of which the Government has set aside a cash reserve of $450,000 and employed the remainder in adding to the appropriation for public services. The revenues, which are almost altogether obtained from customs duties on imports, have grown in amount in each succeeding year, despite the removal of taxation from fishing, farming and mining requisites, and from flour, molasses, and kerosene oil—staple necessaries of the masses of the people.

"The subjoined list shows some of the lines in which American trade could be improved, the figures being those of the imports last year :—

Articles.	United States.	Canada.	Articles.	United States.	Canada
	$	$		$	$
Butter	18,000	98,000	Furniture	5,300	36,000
Canvas (sail)... ...	18,000	26,000	Leather and its ware	102,000	228,000
Coal	44,000	342,000	Medicines	141,000	42,000
Flour	501,000	1,112,000	Tea	1,100	61,000

"In Dry Goods, Woollens, Cottons, Groceries, Hardware, Machinery, Meats and Canned Goods, Canada is bettering her position every year, and a vigorous campaign by American commercial travellers is necessary to restore the balance of trade which formerly prevailed. Not the least serious factor in hampering American trade with the Colony is the 5-cent postage rate which exists between them. Many American business men affix only 2-cent stamps to their letters, causing them to be refused frequently by the addressees in the island, because of double rate for the unpaid portion of the rate at which they are taxed."

Again on April 30th, 1907, there appeared in the American Consular Report the following paragraphs :—

"This review of the prosperity which prevailed in the Colony last year and the encouraging outlook for its continuance will serve to show that Newfoundland is a country to which American exporters can turn their attention with profit. The increase of over three-fourths of a million dollars in the imports from the United States in 1906 as compared with 1905 illustrates the possibilities in this direction, and proves that the traders of the island, which recognises no tariff discriminations or preferences, placing all imports on an equal footing, are prepared to buy in the best market. Hence, with its trade growing at the rate of a million dollars per annum, it can be seen that there is room for American manufacturers and exporters to rapidly enlarge their sales in this market.

"The year 1906 was without exception the most prosperous and successful year in the annals of the island. Alike in its fiscal operations, in its commerce, in its fisheries, and its general industrial movement, its affairs show a marked comparison ; its people have reached a degree of comfort previously unattained, and there seems no reason to doubt a continuation of these very gratifying conditions . . . .

"The average annual imports for the five fiscal years ending June 30th, 1906, were $9,291,826 and the average exports $10,523,308, against a yearly average of $6,488,415 and $6,815,318 respectively for the previous five years. This comparison proves how steady and sustained has been the growth of both imports and exports and how much the circumstances of the people must have improved, as there is only an increase of 1 per cent. per annum in the population, whereas the figures represent, roughly, an increase of 50 per cent. in the value of the total trade. The figures which exhibit the distribution of imports and exports for the same five fiscal years are equally instructive.

Year.	United States.	United Kingdom.	Dominion of Canada.	Other Countries.	Total Trade.
Imports.	$	$	$	$	$
1902	2,501,806	2,244,178	2,612,042	478,659	7,836,685
1903	2,920,914	2,143,464	2,869,879	545,687	8,479,944
1904	2,991,022	2,497,138	3,423,255	537,249	9,448,664
1905	2,750,144	2,657,208	4,105,589	766,352	10,279,293
1906	3,609,192	2,651,196	3,521,839	631,947	10,414,274
Exports.					
1902	1,207,461	2,104,932	1,046,109	5,194,022	9,552,524
1903	1,357,031	2,173,050	1,102,659	5,343,764	9,976,504
1904	1,470,498	1,993,995	1,102,708	5,814,697	10,381,897
1905	1,418,624	1,940,845	1,113,848	6,195,925	10,669,342
1906	1,278,997	1,662,612	1,177,169	7,367,498	12,086,276

"The most significant feature of the foregoing table is the remarkable increase in the Colony's imports from the United States, which have grown by $859,048 in a single year, while those from the United Kingdom have remained stationary, and those from the Dominion of Canada have declined by $583,650 in 1906 as compared with 1905. The United States during the past year has taken half a million dollars of Canada's trade, and secured in amount more than the whole of the increased imports."

. . . .

The above extracts have been given at considerable length, both as illustrating the information afforded to United States manufacturers, and also because of their interest to British manufacturers. It will be observed that the American consuls are far from satisfied with the progress which their countrymen are making, and that in some cases they direct against them the same reproaches as are made against British merchants and manufacturers.

The Export Trade of Newfoundland.

Although the main object of this Report is to enquire into the prospects of British trade in Newfoundland, and the great bulk of the Newfoundland exports go to countries other than the United Kingdom, it may nevertheless be desirable to make some brief reference to the nature of the export trade of the Colony.

There has been a marked upward movement in the value of the exports, from $4,925,789 in 1896–7 to $12,086,276 in 1905–6: this advance has however been due less to increased quantity than to the enhanced value of the chief article—dry cod.

Of the total exports it may be stated that on the mean of the years 1902–3 to 1905–6 inclusive they are derived as follows:—

From marine and fishery	82·46 per cent.
„ mines	13·17 „ „
„ forests	3·15 „ „
„ miscellaneous	1·22 „ „

By far the largest item consists of dry cod, which in the year 1905–6 reached 77·7 per cent. of the total fishing exports, and 68·8 per cent. of the total exports of all kinds. The total figures are shown in the following table, together with the quantity, average price and value of dry cod for the ten years ending 30th June, 1906:—

Year.	Total Exports.	Dry Cod.	Average Price per cwt.	Total Value of Dry Cod Exported.
	$	Cwts.	$	$
1896–7	4,925,789	1,135,817	2·46	2,824,242
1897–8	5,226,933	1,145,540	2·82	3,230,928
1898–9	6,936,315	1,226,336	3·62	4,445,031
1899–00	8,627,576	1,300,622	4·19	5,453,538
1900–1	8,359,978	1,233,107	4·19	5,171,910
1901–2	9,552,524	1,288,955	4·27	5,505,728
1902–3	9,976,504	1,429,724	3·94	5,633,072
1903–4	10,381,897	1,360,373	4·37	5,943,063
1904–5	10,669,342	1,196,814	5·14	6,108,618
1905–6	12,086,276	1,481,025	5·31	7,864,719

It will be noted that the large increase in exports since 1896–7 was chiefly owing to the advance in the price of dry cod, which more than doubled in ten years—the upward movement since 1902–3 having been very sharp. As regards both quantity and price, 1896–7 was the worst year known for this commodity for the 30 years beginning in 1876. Smaller quantities were exported in 1876–7 and 1878, but compensation was then obtained in higher prices. It may be mentioned that the average of the 30 years in quantity was 1,246,664 cwts., and the average price for that period was $3.81 per cwt. The average total value was $4,840,079. It will also be seen that in 1905–6 the coincidence happened of the largest catch on record, coupled with highest prices obtained. This, of course, had an important effect upon the revenue of the country, applying as it does to so important an item of the export trade.

The following table shows the principal articles exported from Newfoundland, and their destination in the year 1905–6:—

Article and Country to which Exported.	Value of Exports in 1905–6.
	$
COD, DRY:—	
United Kingdom	189,270
Canada	751,079
United States	117,025
Austria	435
American West Indies	123,403
Brazil	1,848,964
British West Indies	386,843
Colombia	8,028
Costa Rica	7,217
French West Indies	240
Gibraltar	236,481
Greece	264,458
Hawaii	1,100
Honduras	132
Italy	1,259,682
Madeira	6,526
Malta	12,750
Portugal	1,847,463
Spain	803,623
Total	7,864,719
COD, FRESH, PICKLED, COD ROES:—	
United Kingdom	5,575
Canada	33,570
United States	19,093
American West Indies	6
Brazil	41
British West Indies	62
France	967
St. Pierre	46
Total	59,360
HERRING:—	
United Kingdom	9,182
Canada	202,151
United States	117,895
American West Indies	50
British West Indies	14,863
Colombia	64
Total	344,205
SEAL SKINS:—	
United Kingdom	237,474
Canada	118
United States	76,527
Germany	10
St. Pierre	60
Total	314,189
	$
LOBSTER:—	
United Kingdom	141,464
Canada	58,917
United States	2,588
American West Indies	12
Belgium	12,371
Brazil	27
Denmark	29,061
France	3,400
Germany	109,770
Holland	18,880
Total	376,490
SALMON:—	
United Kingdom	43,188
Canada	43,931
United States	4,286
American West Indies	750
Brazil	50
British West Indies	12,000
Colombia	841
Costa Rica	120
Italy	320
Malta	934
Spain	45
Sweden	180
Total	106,645
COD OIL:—	
United Kingdom	187,508
Canada	31,300
United States	126,729
Australia	5,708
British West Indies	37
Italy	3,070
Total	354,352
COD LIVER OIL:—	
United Kingdom	10,392
Canada	7,572
United States	16,016
Australia	500
American West Indies	100
British West Indies	60
France	350
Italy	5
Total	34,995

Article and Country to which Exported.	Value of Exports in 1905–6.
SEAL OIL :—	
United Kingdom	255,708
Canada	9,475
United States	6,571
Belgium...	8,674
France	8,996
Germany	6,000
Holland...	708
Italy	1,298
Total	297,430
WHALE OIL :—	
United Kingdom	205,283
Canada	4,009
United States	13,415
Italy	54
Total	222,761
WHALE BONE :—	
United Kingdom	11,867
Canada	15,116
United States	10
France	150
Total	27,143
IRON ORE :—	
United Kingdom	18,920
Canada	506,100
United States	35,800
Holland...	207,610
Total	768,430
COPPER :—	
United Kingdom	159,445
United States	216,075
Total	375,520
PYRITES :—	
United States	334,075
LUMBER :—	
United Kingdom	44,943
Canada	8,034
United States	28,720
Argentina	92,829
St. Pierre	1,631
Total	510,232
FUR :—	
United Kingdom	53,474
Canada	33,125
United States	5,654
St. Pierre	120
Total	92,373
FERTILISERS :—	
Canada	724
United States	79,409
Total	80,133
SLATE :—	
United Kingdom	37,760
Canada	403
Total	38,163

It will be seen that by far the largest customers for dry cod from Newfoundland are :—Brazil, $1,848,964 ; Portugal, $1,847,463 ; Italy, $1,259,682 ; Spain, $803,623 ; and Canada, $751,079. The amounts taken by the United Kingdom and the United States are comparatively very small—only $189,270 and $117,025 respectively. In other lines the principal customers are the United Kingdom for lobsters, seal skins, cod oil, seal oil, whale oil, fur, and slate ; Canada for herring, salmon, lobsters, and iron ore ; the United States for herring, cod oil, cod-liver oil, copper, pyrites, fertilizers ; Germany for lobsters ; Buenos Ayres for lumber.

TRANSPORT.

Among the instructions addressed to me was a direction to "ascertain as far as possible the actual effect of Shipping Rings or Conferences on British and Foreign trade." As all merchandise reaches Newfoundland by sea, the total figures of imports may be taken as representing the value of the tonnage brought into the country, and this amounted in 1905–6 to $10,414,274. The following countries are principally concerned, providing between them about 94 per cent. of the total :—

	$	
United Kingdom	2,651,196	= 25 per cent.
Canada	3,521,939	= 34 ,,
United States	3,609,192	= 35 ,,

It must be remembered, however, that in dealing with total imports, commodities consisting of Natural Products are included, and in order to show the value of competing manufactured goods, it is necessary to deduct these; the result is shown in the following table for the year 1905–6:—

	$	
United Kingdom	2,651,196	= 45 per cent.
Canada	1,250,218	= 21 „
United States	1,532,899	= 26 „

Nearly all these goods are received at the Port of St. John's, and are shipped from the British ports of Liverpool, Glasgow and London; from the Canadian ports of Montreal and Halifax; and the United States ports of Philadelphia, New York, and Boston.

The principal lines of steamers are the Allan and the Furness lines from Liverpool, Glasgow and London, the Allan line sailing from Glasgow and Liverpool, thence to St. John's, and from there to Halifax and Philadelphia, and returning from Philadelphia to Halifax, St. John's, Liverpool and Glasgow, and the Furness line from Liverpool to St. John's, thence to Halifax, with an occasional steamer running from London to St. John's and Halifax. "The Red Cross" line have steamers running regularly between New York and St. John's, calling at Halifax. "The Black Diamond" line runs, when navigation is open, from Montreal to St. John's, calling at Prince Edward's Island and Cape Breton's ports. The Reid Newfoundland Company carry a certain amount of freight by their steamers from Sydney, N.S., to Port Aux Basques, and from thence to distributing points in Newfoundland by the Reid Newfoundland Railway. There is no direct line of steamers between Newfoundland and Hamburg or other European Continental ports, goods from Hamburg and Antwerp, &c., chiefly reaching Newfoundland via New York and Halifax. The Allan line was first established, and was at one time in competition with steamers owned by a Halifax Company, but subsequently the Furness Withy Company absorbed the Halifax Company and for a time competed with the Allan Company, but although these companies do not appear to issue printed freight lists for Newfoundland, it is alleged that, with certain exceptions, their rates are uniform and that they work in combination. The exceptions referred to are said to be that certain large firms receive special rates, and that small importers, or those who only occasionally import, do not obtain rates as low as the favoured and larger firms.

A system of deferred rebates is in operation in the case of the two British lines, consisting of a charge of 20 per cent. primage on freight from Liverpool which is refunded to consignee in St. John's; 20 per cent. on freight from Glasgow, 10 per cent. of which is refunded in St. John's to the respective consignee, 10 per cent. on goods by direct London boat—the rebate in each case being subject to the condition that the shipper has not sent goods by vessels other than those in the combination. I do not hear of any similar condition applying to goods shipped from Canada, as regards either primage or rebate.

I heard a good deal of complaint in Newfoundland concerning what were alleged to be high rates of freight upon goods from Great Britain, and it appears to be inevitable that such complaint should be found wherever freights are fixed in combination instead of by the free play of competition. It may be the case that having regard to moderately fast ships, regular service, and the comparative smallness of the trade, freights are not really higher than the service rendered demands, and this would doubtless be alleged on behalf of the shipowner, but the shipper can obviously have no assurance of this beyond the statement of interested parties, and nothing can prevent his believing that rates fixed in agreement by such parties will be placed at a high level to the injury of the shippers' trade; and in this case it must be remembered that injury to the shippers' trade means injury to the manufacturing interests of Great Britain. It is frequently pointed out that rates of freight to St. John's are very much higher than on similar goods destined for Western Canadian points, but it is easy to overlook the fact that such a comparison may not be fair to the shipowner, because at distant points where the trade is larger and where competition assumes a severe form, the shipowner may carry goods at little or almost no profit at all on the theory that "half a loaf is better than no bread." The practice of very low rates of carriage under conditions of severe competition is by no means confined to steamers visiting St. John's, and there is much to be said in argument on both sides, but while the above consideration must be borne in mind, it does not follow that rates of freight to Newfoundland are not unduly high, and it may very well be the case that the dissatisfaction of shippers may have ample justification and their case may be capable of strong support without the use of comparative figures, the fairness of which may be open to question. In view of the very large number of rates and items of classification, it appears impossible to do more than select certain commodities and give the comparative rates of freight upon them from competing points, showing also in some cases rates of freight on corresponding articles to Canadian and American ports. In making this comparison, however, it must be remembered that the rates of freight to Canadian ports are also fixed in combination and have lately been increased, and more particularly that rates to Halifax and Montreal appear to be high in view of "proportionate ocean rates" which apply to Western Canada and in view of rates from British ports to New York.

The following tables show rates to St. John's on a certain number of selected articles from London, Liverpool, Glasgow, Halifax, Montreal, New York and Boston.

Rates from London, Glasgow and Liverpool to St. John's.

Articles.	London.	Glasgow.	Liverpool.
Crockery in crates	15*s*.	15*s*. m	15*s*. m
Crockery in cases	15*s*.	15*s*. m	15*s*. m
Hardware	20*s*.	20*s*. w or m	20*s*. w or m
Iron bars	20*s*.	20*s*. w	
Iron sheets	20*s*.	20*s*. w	
Iron girders up to 30 feet ...	20*s*.	25*s*. w	
Bolts and nuts	20*s*.	22*s*. 6*d*. w	
Tin plates	20*s*.	20*s*. w	
Cutlery, plated	30*s*. or £1 per cent. *ad val.*	25*s*. w or m	25*s*. m and / or 1 per cent. and 20 per cent.=24*s*. *ad val.*
Cutlery, unplated ...	25*s*.	25*s*. w or m	
Dry goods	22*s*. 6*d*.	25*s*. m	25*s*. m
Cottons	22*s*. 6*d*.		
Drapery	22*s*. 6*d*.		

London rates all weight or measurement at ship's option, and all plus 10 per cent. primage.
Liverpool rates plus 20 per cent. refunded to consignee in St. John's.
Glasgow rates all with 20 per cent. primage additional. There is a rebate allowed in St. John's to the respective consignees, viz., 10 per cent. at the end of season, as per special agreement made direct between themselves and the steamship company. Glasgow rates are quoted for periods when there is no transhipment required. Should there be transhipment at Liverpool, then add to above rates :

When goods are carried from Glasgow to Liverpool by steamer of Allan Line ... 5*s*. and 20 per cent.
When carried Glasgow to Liverpool by the ordinary coasting lines ... ... 7*s*. 6*d*. and 20 per cent.

Rates from Halifax and Montreal to St. John's, Newfoundland.

Articles.	Halifax.	Montreal.
Case and bale goods ...	$5 (=20*s*. 10*d*.) per 40 cubic feet.	$6 (=25*s*.) per 40 cubic feet.
Heavy goods	$4 (=16*s*. 8*d*.) per ton	

Rates from Boston and New York to St. John's, Newfoundland.

Articles.	Boston.	New York.
Crockery	$6 (=25*s*.) m	$6 (=25*s*.) m
Hardware	Do. do.	Do. do.
Iron bars	$6·75 (=28*s*.) w	$6·75 (=28*s*.) w.
Iron sheets	According to dimension and weight.	According to dimension and weight.
Iron girders up to 30 feet	Do. do.	Do. do.
Bolts and nuts	$6·75 (=28*s*.) w	$6·75 (=28*s*.) w
Tin plates	Do. do.	Do. do.
Cutlery	$6 (=25*s*.) m or *ad val.*	$6 (=25*s*.) m or *ad val.*
Dry goods	$6 (=25*s*.) m	$6 (=25*s*.) m
Cottons	Do. do.	Do. do.
Drapery	Do. do.	Do. do.

Goods carried by rail and steamer from Montreal travel by the Intercolonial Railroad or Canadian Pacific Railroad to Sydney, N.S., thence to Port aux Basques by the Reid Newfoundland Company steamer "Bruce," and thence to distributing points in Newfoundland. Goods shipped in this way are divided into classes ; on first class, such as dry goods and goods in cases when in small lots, the rate is 85 cents per 100 lbs. ;

second class, such as butter and cheese in small lots (L.C.L.), 74 cents per 100 lbs., hardware, paints, &c. 60 cents per 100 lbs., tea and tobacco 45 cents per 100 lbs., flour in carloads 33 cents per 100 lbs., beef, pork, &c. in carloads 32 cents per 100 lbs. As an illustration of the difference between the ordinary rates and rate of freight in full cargoes, it may be stated that freight from Prince Edward's Island is $4·50 per ton, from Sydney $3 per ton, while coal is carried from the latter port to St. John's at $1 per ton, but this is probably due in part to ships returning to a point near St. John's after having carried cargoes of ore to Sydney. The rate of freight from Hamburg and other European continental ports arriving via New York and Halifax are, via New York 32*s.* 6*d.* per 40 cubic feet and via Halifax 22*s.* 6*d.* Occasionally a vessel is chartered to bring freight direct from Hamburg, the rates being in that case as low as 15*s.* per ton and 5 per cent primage. It may be convenient to produce here for purposes of comparison a table taken from the Report upon Conditions and Prospects of British Trade in Canada. The letters L.C.L. and C.L. indicate less than carloads and carloads.

Summer season of Montreal navigation, April to November, 1907.

Articles.	Montreal.	Rates from Liverpool to					
		Toronto.		Winnipeg.		Vancouver.	
		L.C.L.	C.L.	L.C.L.	C.L.	L.C.L.	C.L.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.
Crockery crates	22 6w	28 3w	24 9w	99 0w	64 3w	90 0w	78 0w
,, boxes	8 6m	13 3m	12 0m	120 0w	64 3w	90 0w	78 0w
Hardware	25 0w	39 9w	33 3w	120 0w	—	150 0w	125 0w
	17 6m	31 6m	27 0m	—	—	—	—
Iron bars	10 0w	26 9w	23 3w	76 0w	60 0w	114 6w	68 6w
,, sheets	10 0w	26 9w	20 9w	94 3w	64 3w	114 6w	82 6w
,, girders up to 30 feet	12 6w	28 3w	23 9w	99 0w	60 0w	107 6w	75 0w
Bolts and nuts	12 6w	29 3w	25 9w	94 3w	60 0w	110 0w	60 0w
Tinplate	10 0w	26 9w	20 9w	94 3w	60 0w	90 0w	65 0w
Cutlery, plated	25 0w/m	47 0m	—	141 0w	—	200 0w	—
	or ½ per cent.						
	ad val.	58 0w					
Cutlery, unplated	25 0w/m	44 6m	—	141 0w	—	200 0w	—
	or ½ per cent.						
	ad val.	54 3w					
Dry goods :—							
Heavy cotton	25 0m	15 0m	—	120 0w	76 6w	150 0w	—
	10 per cent.	23 9w					
All others	25 0m	15 0m	—	141 0w	—	240 0w	—
	10 per cent.	33 0w					

All Montreal rates plus 10 per cent.
Where weight and measurement rates are quoted, the rate whichever yields most freight is to be charged.
W.=Per ton of 2,240 lbs. M.=Per ton of 40 cubic feet. *Ad val.*=*Ad valorem.*

It will be noted that rates of freight are very much higher for Montreal than for points further west, and as showing this, a second table is taken from the report above referred to :—

——	Ocean Proportionate Rates.	Montreal.
	s. *d.*	*s.* *d.*
Crockery crates	10 0 nett C.L. 24,000 lbs.	22 6
Hardware	15 0	25 0
Iron bars	8 6	10 0
Iron sheets	8 6	10 0
Iron girders up to 30 feet ...	12 6	12 6
Bolts and nuts	11 0	12 6
Tinplate	8 6 nett	10 0
Cutlery	25 0 or ½ per cent. and 10 per cent. *ad val.*	25 0

All Montreal summer rates 10 per cent., and Quebec rates 2*s.* 6*d.* above Montreal.

And it may be convenient to produce an extract from a letter written by a British shipper to Canada, which also appeared in the Canadian report : "The Conference " (Canadian North Atlantic Westbound Freight Conference) carry traffic of the same " descriptions for Western States points at about one-half the ocean rates charged on

" Canadian traffic. For example, dry goods for Chicago shipped at Liverpool or London " *viâ* Montreal are charged 10*s.* per 40 cubic feet nett, and in some instances less, while " the rate for the same service on the same class of traffic for Toronto would be 15*s.* per " 40 cubic feet ; but if the same class of goods were for a trader in Montreal, he would " pay 25*s.* and 10 per cent. per 40 cubic feet. For a number of years the ports of " Boston and New York were used by shippers from this country to Canada, but the " rates have been advanced all the way from 8*s.* to 15*s.* per 40 cubic feet."

It may be noted that 15*s.* measurement on dry goods is approximately equal to 52*s.* 6*d.* per ton weight (2,240 lbs.), the proportion averaging about 3½ times, but varying considerably. I am informed that the rate *viâ* Boston and New York for Western United States points by certain lines are for dry goods 10*s.* per 40 cubic feet, earthenware 7*s.* per ton, iron and steel 8*s.* 6*d.* per ton, earth paints 5*s.* 6*d.* per ton.

The writer desires to acknowledge the readiness and courtesy to afford information on the part of shipping firms he has approached. Only those whose business it is to deal with freight tables, or whose duty has brought them in contact with the subject can realise its complexity, and it has been sought in the present chapter of this report to avoid loading it with detail and to state the facts broadly as far as the writer, who cannot pretend to be expert in the matter, has been able to master them.

Summary and Conclusions.

It remains to endeavour to set out the conclusions which appear to be derivable from the survey which has now been made of the general character of British trade in Newfoundland and the conditions under which it is carried on. They may be stated as follows :—

(1) The geographical position of Newfoundland is to some extent a handicap to the British trade with that country, and a corresponding advantage to the manufacturers and merchants of Canada and the United States. The comparative convenience of access and quickness of communication are all helpful to these two countries. To some degree the social and economic conditions of the colony present many resemblances to those prevalent in the neighbouring countries, so that Canadian and United States manufacturers can regard Newfoundland as being in many of its requirements an extension of their own home market.

(2) These advantages of geographical position are so considerable that it is inevitable that a proportion of the Newfoundland trade should fall to Canada and the United States. On the other hand, British products enjoy a preference in goodwill, and direct lines of steamers from Glasgow and Liverpool, touching at St. John's on their way to Halifax and other ports, provide convenient means of import, and, as is shown by certain lines of goods, British trade is more than able to hold its own.

(3) It appears that much more could be done by British traders to increase their hold upon the Newfoundland market, and the following suggestions arise naturally from what has already been set out in the earlier parts of this report :—

(*a*) Efforts should be made to promote and encourage facilities for quick and cheap transportation and communication. A large part of Newfoundland's trade undoubtedly goes to Canada and the United States, not because of the superiority of their products, but because the goods can be obtained more rapidly and promptly from those countries than from the United Kingdom.

(*b*) British manufacturers should study Newfoundland conditions for themselves and not depend so much as they have done in the past upon merchants and agents. They should follow the example of their American competitors in entering as much as possible into direct communication with Newfoundland buyers, and turn their attention more than they have done in the past to the problem of distribution under the new trade conditions which prevail to-day. If they will grapple with this problem with the same courage and energy with which they have dealt with the problem of production, there need be no fear as to the result.

(*c*) It follows from this that the British manufacturer must either visit the market himself, or he must be prepared to select the best men obtainable, pay them well and thereby enable them to meet and fight their commercial competitors on their own lines.

(*d*) The British manufacturer should cater to the demand and produce the goods that are required by Newfoundland. However good an article may be it will not sell in Newfoundland, or for that matter, in any other market, unless it coincides with local wishes, and it may be local prejudices. If the demand is for cheap articles, it is futile to offer even a better article at a higher price. The Newfoundland buyer knows his business, he knows what he wants and if British manufacturers do not meet him, he will turn elsewhere.

(*e*) A point of importance in this connection is the question of standards, particularly in regard to iron and steel. Newfoundland has adopted American standards, engineers and architects are familiar with them, and if British manufacturers wish to sell in the Newfoundland market they must adopt for goods destined for that market the same standards also.

(*f*) With respect to catalogues and advertising, it is the general opinion in Newfoundland that more might be done by British manufacturers. Catalogues should be fuller and more detailed; they should contain much more complete information as to the articles making up the catalogue.

(4) Finally, there is undoubtedly a need for what may be called National Trade Representation in Newfoundland. There can be no question as to the substantial services which have been rendered to the United States trade as a whole by their consuls; at present, the United Kingdom is without any such representation. Consular advice and information can never take the place of efficient trade representation, but, unquestionably, if the right men are available, it can render substantial service, and it is generally believed that such service has been rendered to the trade of the United States by its consular representatives. It may be added that it is desirable that all possible steps should be taken to enable the industrial and commercial organisations of the United Kingdom and Newfoundland to keep acquainted with the general economic and trade conditions which prevail in the two countries. United States publications are very freely supplied, and Newfoundlanders have constantly exhibited before them the spectacle of the commercial and industrial greatness of the United States, whereas from the United Kingdom they receive practically nothing.

APPENDIX I.

TOTAL TRADE (IMPORTS and EXPORTS) of NEWFOUNDLAND, showing the PRINCIPAL SOURCES of IMPORTS and DESTINATIONS of EXPORTS for each of the Eighteen Years, 1888–1906.

Year.	Total Trade.			United Kingdom.		Canada.		United States.		Other Countries.		Percentage of Total Trade (Imports and Exports).			
	Imports.	Exports.	Total.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	United Kingdom.	Canada.	United States.	Other Countries.
	$	$	$	$	$	$	$	$	$	$	$				
1888	7,420,400	7,396,053	14,816,453	3,265,229	2,372,429	2,041,144	528,635	1,602,138	349,732	511,889	4 145,257	38·0	17·3	13·1	31·4
1889	6,607,065	6,854 279	13,461,344	2,653,152	2,055,586	2,076,258	567,903	1,615,143	485,202	262,512	3,745,588	34·9	19·6	15·6	29·7
1890	6,368,855	6,099,686	12,468,541	2,174,524	1,514,131	2,423,319	631,104	1,247,754	452,100	523,258	3,502,351	29·5	24·5	13·6	32·2
1891	6,869,458	7,437,158	14,306,616	2,341,706	1,966,581	2,499,945	794,844	1,526,674	580,577	501,133	4,095,156	30·1	23·0	14·7	32·1
1892	5,012,877	6,386,974	11,399,851	1,867,455	1,769,749	1,981,466	213,913	966,261	700,003	197,695	3,703,309	31·9	19·2	14·6	34·3
1893	7,572,569	6,280,912	13,853,481	2,680,853	1,308,650	2,886,901	619,611	1,665,227	648,452	339,588	3,704,199	28·8	25·5	16·7	29·0
1894	7,164,738	5,811,169	12,975,907	2,538,942	1,347,425	2,643,032	763,569	1,577,060	678,437	405,704	3,021,738	29·9	26·5	17·3	26·7
1895–6	5,986,861	6,638,187	12,625,048	1,875,754	1,727,852	2,231,641	638,741	1,473,721	489,027	405,745	3,782,567	29·3	22·7	15·5	23·1
1896–7	5,938,334	4,925,789	10,864,123	1,960,999	1,347,273	1,593,931	478,110	2,135,008	533,518	248,396	2,564,888	30·4	19·0	24·4	25·9
1897–8	5,188,863	5,226,933	10,415,796	1,519,253	1,355,920	1,823,238	482,512	1,671,134	427,478	175,238	2,961,023	27·6	22·1	20·1	30·1
1898–9	6,311,245	6,936,315	13,247,560	1,935,025	1,443,266	2,088,093	541,727	1,928,834	620,056	359,293	4,331,266	25·5	19·8	19·2	36·1
1899–1900 ...	7,497,147	8,627,576	16,124,723	2,224,353	1,942,093	2,805,490	520,137	1,993,505	1,005,525	473,799	5,159,821	25·8	20·6	18·5	34·9
1900–1	7,476,503	8,359,978	15,836,481	2,328,622	1,831,941	2,489,499	711,746	2,088,465	884,068	569,917	4,932,223	26·2	20·2	18·7	34·7
1901–2	7,836,685	9,552,524	17,389,209	2,244,178	2,104,932	2,612,042	1,046,109	2,501,806	1,207,461	478,659	5,194,022	25·0	21·0	21·3	32·6
1902–3	8,479,944	9,976,504	18,456,448	2,143,464	2,173,090	2,869,898	1,102,659	2,920,914	1,357,031	545,668	5,343,724	23·3	21·5	23·1	31·8
1903–4	9,448,664	10,381,897	19,830,561	2,479,138	1,993,195	3,423,225	1,102,708	2,991,002	1,470,497	555,279	5,814,697	22·5	22·8	22·5	32·1
1904–5	10,279,293	10,669,342	20,948,635	2,654,908	1,940,945	4,105,569	1,135,848	2,750,114	1,418,624	768,702	6,173.925	21·9	25·0	19·9	33·1
1905–6	10,414,274	12,086.276	22,500,550	2.651,196	1,662,612	3,521,939	1,777,169	3,609,192	1,278,997	631,947	7,367,498	19·2	23·1	21·8	35·5

APPENDIX II.

NEWFOUNDLAND CUSTOMS TARIFF.

Schedule A.

1.	Aerated waters of all descriptions, and non-alcoholic drinks, not to include natural mineral waters, ad valorem	40 per cent.
2.	Acids, muriatic and nitric, and all mixed or other acids, N.E.S., sulphuric ether, chloroform and solutions of peroxides of hydrogen, ceresene, chlor dinitro, bensole and nitro ammonia, ad valorem	35 per cent.
3.	Ale, porter, and beer :—	
	When imported in casks or otherwise than in bottles, per gallon	35 cents.
	When imported in bottles, six reputed quarts or twelve reputed pint bottles to be held to contain one gallon, per gallon	40 cents.
4.	Anchovies, sardines, oysters, clams, salmon, lobsters, and all fish prepared, preserved or packed in oil or otherwise, N.E.S., fish, smoked or boneless, N.O.P., and all other articles the product of the fisheries, not specially provided for, ad valorem	35 per cent.
5.	Animals, living, viz. :—	
	Oxen, cows, bulls, horses, mares, foals, and other draft animals, N.E.S., ad valorem	20 per cent.
	Calves, pigs, and sheep, each	$1
	Pigs under three months of age and lambs, each	50 cents.
6.	Apples, per barrel	50 cents.
7.	Apples, dried, per lb.	2 cents.
8.	Asbestos, and all manufactures thereof, ad valorem	35 per cent.
9.	Barley, when imported for seed or for brewing purposes, ad valorem	10 per cent.
10.	Baths, tubs, and washstands, of earthenware, stone, cement or clay, or of other material, N.E.S., ad valorem	40 per cent.
11.	Beans, per lb.	½ cent.
12.	Belting, of leather or other material, for machinery, including lacings or fasteners, ad valorem	10 per cent.
13.	Bicycles and tricycles, and parts thereof, N.E.S., ad valorem	40 per cent.
14.	Billiard tables, and bagatelle boards and tables, cues, balls, cue racks, cue tips, and billiard chalk, ad valorem	40 per cent.
15.	Biscuits, viz. :—	
	Those known as ships' biscuits, per cwt.	10 cents.
	Soda, water, butter, and pilot, and any biscuit of that description not sweetened, per lb.	3 cents.
	Biscuits and bread, N.E.S., ad valorem	40 per cent.
16.	Blocks for ships and block sheaves, N.E.S., ad valorem	40 per cent.
17.	Blocks for ships and block sheaves of galvanized iron, ad valorem	30 per cent.
18.	Brick :—	
	Stock or common, per M. $2.50, ad valorem	30 per cent.
	Facing and fire, ad valorem	20 per cent.
19.	Brin, known as bread-bag brin, when imported by local manufacturers of bread, rope, or nails, in which to enclose their manufactures, ad valorem	10 per cent.
20.	Brooms and whisks of corn, ad valorem	20 per cent.
21.	Broom handles, ad valorem	20 per cent.
22.	Brushes, N.E.S., ad valorem	40 per cent.
23.	Butter, per lb.	3½ cents.
24.	Butterine, oleomargarine, or other similar substitutes for butter, per lb.	3½ cents.
25.	Cabbage :—	
	1st May to 31st July, both inclusive, per lb.	½ cent.
	1st August to 30th April, both inclusive, per lb.	1 cent.
26.	Cabinet wares, viz. :—	
	House, office, cabinet, or store furniture, of wood, iron, or other material, in parts or finished; blinds, of wool, metal, or other material, not textile or paper; window shades or blind rollers, window cornices and cornice poles of all kinds, show cases and metal parts thereof, ad valorem	40 per cent.
27.	Cake, N.E.S., per lb.	7 cents.
28.	Candles, ad valorem	35 per cent.
29.	Canoes, ships' boats, skiffs, or open or decked pleasure sail boats, of any material, and steam launches, ad valorem	35 per cent.
30.	Cans, imported in a manufactured state for putting up hermetically-sealed goods, including the packages or cases in which they are imported, ad valorem	40 per cent.

31.	Canvas, of hemp, cotton, or flax, known as sail and tarpaulin canvas, not including cotton drill, ad valorem	5 per cent.
32.	Carriages, viz. :—	
	Carriages, express and other waggons, buggies, carts, and sleighs, N.E.S., when costing at the port of shipment not more than $50 each, $10 each, ad valorem	40 per cent.
	When costing over $50 each but not exceeding $100, $20 each, and ad valorem	40 per cent.
	Costing over $100 each, $30 each, and ad valorem	40 per cent.
	Carriage, waggon, buggie, hearse, or express bodies; purchases, gears, hoods, poles, or seats, made up or part made up; malleable seat irons and other malleable carriage parts, steel tires, sleigh runners, N.E.S., steps or step pads, ad valorem	50 per cent.
	Wheelbarrows, handbarrows, stand carts, trucks, trollies, or samsons, ad valorem	75 per cent.
	Wheels, ready-made or part made, that is, with spokes in hubs, per set of two wheels, $4 and ad valorem	20 per cent.
	Rubber tires for carriages and moss for stuffing parts of carriages, when imported by manufacturers of carriages, ad valorem	20 per cent.
	Wheel spokes for carriages, any size up to 1¾ inches; wooden rims for wheels, all sizes; carriage shafts, not trimmed; hubs for carriage wheels, or blocks to make such hubs, up to 8 inches in diameter, ad valorem	30 per cent.
	Wheel spokes for vehicles and carriages, over 1¾ inches; carriage shafts, trimmed or partly trimmed; hubs for vehicles, or blocks to make such hubs, over 8 inches in diameter, ad valorem	50 per cent.
	Whitewood, basswood, ash, and hickory, not planed or dressed, when imported by blockmakers, wheelwrights, and carriage builders to be manufactured by them, per 1,000 feet	$2
	Bows for hoods, springs, axles, shafts, and other clips, bolts, circles, stamp-joints and off-sets, swing hoods, swing rings and plates, spring shackles, felloe plates, axle boxes, spring steel, carriage trimmings, such as tufts, tacks, whip sockets, lace, shaft tips, swing ends, silver beadings, and carriage lamps, ad valorem	30 per cent.
33.	Casks, viz :—	
	Empty (second-hand), 45 gallons and under, each	50 cents.
	Empty (second-hand), over 45 gallons, each	$1 50 cents.
	In which dry goods are imported, which are capable of containing or being made to contain liquids, each	$1 50 cents.
	Herring barrels, each	25 cents.
	All other empty casks, N.E.S., ad valorem	60 per cent.
34.	Cask staves (second-hand), to make casks of 45 gallons and up, per 120	$5
	To make casks under 45 gallons, per 120	$1 50 cents.
35.	Cast-iron pipes, ad valorem	35 per cent.
36.	Cement, viz. :—	
	Portland, Roman and hydraulic, water lime and iron oxide, in bags, barrels, or casks, ad valorem	25 per cent.
37.	Cheese, per lb.	3½ cents.
38.	Chemicals, when imported by manufacturers of matches for manufacturing matches, ad valorem	20 per cent.
39.	Chewing gums of all kinds, ad valorem	40 per cent.
40.	Chicory, raw or green, per lb.	2 cents.
	Kiln dried, roasted, or ground, per lb.	3 cents.
41.	China and porcelain ware, also earthenware and stoneware, crown or coloured Rockingham ware, white granite or ironstone ware, C.C. or cream-coloured ware, decorated, printed, or sponged, and all earthenware, N.E.S., ad valorem	40 per cent.
42.	Cider and perry, per gallon	20 cents.
43.	Clocks, watches, watch glasses, clock and watch keys, clock and watch movements and parts, ad valorem	35 per cent.
44.	Coal, known as anthracite, when brought into or imported into the port of St. John's, per ton	$1
	All other description of coal, N.E.S., when brought into or imported into the port of St. John's, per ton	70 cents.
	When imported or brought into any other port or place in this colony, per ton	50 cents.
45.	Codfish, haddock, hake, and ling, N.O.P., per qtl.	$1 50 cents.
46.	Coffee, green, per lb.	5 cents.
	Coffee, roasted or ground, per lb.	7 cents.
	Preparations or mixtures to resemble coffee, per lb.	7 cents.
	Extract of, or substitutes of all kinds, ad valorem	30 per cent.
47.	Combs of all kinds, and curry cards, ad valorem	40 per cent.
48.	Confectioners' ornaments, ad valorem	30 per cent.
49.	Confectionery of all kinds, including sugar candy, almond paste (when imported by confectioners), sweetened gums (excepting gums known as chewing gums), and pop corn, per 100 lbs.	$6 50 cents.

50.	Cordage of all kinds, N.E.S., per lb.	1½ cents.
	Clothes lines, window cords, and such like, when plaited, ad valorem	40 per cent.
51.	Cork, corkwood, stoppers for bottles, and canvas and glass buoys for fishing nets, ad valorem	10 per cent.
52.	Cotton fabrics of every description, and manufactures and productions of cotton, N.E.S., ad valorem	35 per cent.
53.	Dry goods, viz. :—	
	Blankets, quilts, counterpanes, and other bed covers, N.E.S., carpeting, rugs, mats and matting of cocoa, straw, hemp, or jute, Turkish or imitation Turkish, and carpets or carpeting, and rugs and mats of all kinds, and floor, shelf, stair, enamelled and table oil-cloth, linoleum and cork matting or cork carpets, damask of linen, stair linen, diaper, sheets and sheeting, quilts, towels and towelling, and like articles of linen, or of linen and cotton combined, made up or not, N.E.S., art muslins and cretonnes, fabrics or clothing which have been exported to be dyed, cleaned, altered, or made up when re-imported, gloves and mitts of all kinds, N.E.S., shawls of all kinds, railway or travelling rugs, and lap dusters of all kinds, umbrellas and parasols of every description, braces or suspenders, woven or knitted shirts and drawers, Cardigan jackets and guernseys, socks and stockings of all kinds, N.E.S., manufactures of hemp, flax, or jute, N.E.S., or flax, hemp, and jute combined, N.E.S., and bags or sacks made up of jute, hemp, linen, or cotton, including seamless bags, ad valorem	35 per cent.
54.	Diving apparatus, ad valorem	10 per cent.
55.	Dories and dory oars, ad valorem	20 per cent.
56.	Drain pipes, sewers pipes, chimney linings or vents, chimney tops and inverted blocks, glazed or unglazed, earthenware tiles, stove linings, and manufactures of clay or cement, and crocks, jars, churns, and demijohns of stoneware or earthenware, ad valorem	30 per cent.
57.	Eggs, per dozen	5 cents.
58.	Explosives, viz. :—	
	Cannon, musket, rifle, gun, and sporting powder, cannister powder, giant powder, nitro, and other explosives, N.O.P., ad valorem	35 per cent.
59.	Fancy wares, viz. :—	
	Fancy writing-desks, fancy cases for jewellery, silverware, watches, plate-ware, and cutlery, glove, handkerchief, and collar boxes and cases, brush or toilet cases, and all fancy cases for similar fancy articles of any material, fans, dolls, and toys of all kinds, including children's sleds and carriages, ornaments of alabaster, spar, amber, terra-cotta, or composition, statuettes, bead ornaments, and papier maché ware, hammocks, lawn-tennis nets, sportsmen's fish nets, and other articles manufactured of twine, and N.E.S., magic lanterns and slides therefor, philosophical, photographic, mathematical, and optical instruments, N.E.S., cyclometers, pedometers, tapelines of any material, and photographic dry plates, ad valorem	40 per cent.
60.	Feathers, per lb.	7 cents.
61.	Findings for boots and shoes, viz. :—	
	Counters, pegs and pegwood, box-toe tips, steel and wooden shanks, lasts, patterns, heel-plates, and crimp irons, eyelets and boot hooks, ad valorem	25 per cent.
62.	Fireworks of all kinds, including torpedoes and fire crackers, ad valorem	40 per cent.
63.	Flagstones, and all other building stone, undressed, N.E.S., and flagstones, freestone, sandstone, and all building stone, not hammered or dressed, N.E.S., and marble, granite, and freestone, sawn only, N.E.S., and marble and granite, rough and not hammered or dressed, ad valorem	30 per cent.
64.	Flannels, serges, N.E.S., swanskins and kerseys, ad valorem	35 per cent.
65.	Forgings of iron or steel, of whatever shape or size, or in whatever stage of manufacture :—	
	When weighing under 5 cwt. and over 60 lbs., N.E.S., ad valorem	30 per cent.
	When weighing 5 cwt. and over, ad valorem	10 per cent.
66.	Freestone, marble, and granite, N.E.S., and all manufactures of marble, freestone, or granite, N.E.S., ad valorem	50 per cent.
67.	Fruits, viz. :—	
	Oranges, lemons, limes, grapes, peaches, pears, blackberries, gooseberries, strawberries, raspberries, plums, cherries, quinces, damsons, bananas, plantains, pineapples, pomegranates, guava, mangoes, shaddocks, and other green fruits, and fruit pulp, when imported by bakers to be used in the manufacture of fancy biscuits, ad valorem	15 per cent.
	Dried raisins, currants, prunes, apricots, dates, nectarines, candied peel, citron, figs, and other dried, candied, or desiccated fruit, per lb.	3 cents.
	Fruit in air-tight cans or other packages, including preserved ginger, ad valorem	35 per cent.
	Fruits preserved in brandy and other spirits, ad valorem	40 per cent.
68.	Fur gloves, mitts, coats, jackets, capes, hats, caps, muffs, stoles, robes, and all other manufactures of fur, ad valorem	45 per cent.

69.	Glassware, viz. :—	
	Common colourless window glass, ad valorem	30 per cent.
	All other kinds of glass and glassware, N.E.S., including silvered glass, framed or not framed, spectacles and eye-glasses, and frames and metal parts thereof, ad valorem	40 per cent.
70.	Gold, silver, and aluminium leaf, Dutch or schlag metal leaf, brocade and bronze powders, and gold liquid paint, ad valorem	35 per cent.
71.	Grindstones, scythe and other sharpening stones, ad valorem	30 per cent.
72	Groceries, viz. :—	
	Buckwheat, buckwheat meal or flour, and flour of similar cereals, N.E.S., per lb.	1 cent.
	Cocoa, shells and nibs, chocolate, and other preparations of cocoa, ad valorem, 30 per cent., per lb.	2 cents.
	Jelly powders, jelly tablets, calves' feet jelly, and such like preparations, N.E.S., glucose, honey, in comb or otherwise, and imitations thereof, lime juice, and other fruit syrups and fruit juices, N.E.S., and crystals and powders for making lemonade and similar beverages, maple sugar, maple syrup, syrups and molasses of all kinds, N.E.S., the product of the sugar cane or beet, N.E.S., and all imitations thereof, canned poultry and game, extracts of meat, fluid beef (not medicated), bovril, bovril wine, and similar extracts and soups, rolled oats, farina, cornflour, and similar preparations of cereals, N.E.S., when put up in packages of less weight than 28 lbs., olive oil or salad oil in bottles, rice and sago flour, sago and tapioca, spices of all kinds, ginger, nutmegs, mace, carraway seed, laundry blueing of all kinds, starch, and all preparations having the quality of starch, N.E.S., ground mustard and bi-carbonate of soda, condensed milk, pickles, sauces and catsups, including soy, vegetables in air-tight cans or similar packages, yeast cakes, compressed yeast and baking powders, and all groceries, N.E.S., ad valorem	35 per cent.
73.	Hair cloth of all kinds, hair, spring, and other mattresses, hair bolsters and pillows, and felt (pressed) of all kinds, ad valorem	30 per cent.
74.	Hats, caps, and bonnets of any material, N.E.S., and hat, cap, and bonnet shapes, ad valorem	40 per cent.
75.	Hardware, viz. :—	
	(*a.*) Adzes, axes, cleavers, hatchets, saws, wedges, sledges, hammers, crow-bars, cant dogs, tract tools, picks and eyes, or poles for same, axe-handles, anvils, vices, files and rasps, carpenters' rules, mallets and gauges, shovels and spades of iron or steel, smiths' bellows, diamonds for glaziers' use, ice saws, ice ploughs, splitting, sheath, shoe, butchers', farriers', putty, glaziers', and paint knives ; edged tools of all kinds for hand or machine use, including shoemakers' and tinsmiths' tools or bench machines, N.E.S., ad valorem	25 per cent.
	(*b.*) Knives, N.E.S., shears, scissors, erasers, manicure files, trimmers, lamp shears, horse and toilet clippers, table cutlery, and all like cutlery, plated or not ; skates of all kinds, cast-iron hollow-ware, tinned, enamelled, or not ; coal boxes, coal scoops, coal shovels, fire-irons of all kinds, safes and doors for vaults, strength-testing machines of all kinds, bird, parrot, squirrel, and rat or mouse cages, of wire or other material, rat or mouse traps, cash registers, carpet sweepers, fire-extinguishing machines, trawls, trawling spoons, fly hooks, sinkers, swivels, floats, and sportsmen's fishing bait, fish hooks and other anglers' requisites, N.E.S., guns, rifles, including air guns and air rifles (not being toys), muskets, canons, pistols, revolvers, or other fire-arms, cartridge cases, cartridge primers, percussion caps, wads, or other ammunition, N.E.S., bayonets, swords, fencing foils and masks, gun or pistol covers or cases, game bags, loading tools and cartridge belts of any material, signs of any material (framed or not), letters of any material for signs or similar use, builders', cabinet-makers', upholsterers', and trunk-makers' hardware, including furniture, springs, hinges, and locks, N.E.S., gasmeters, lead pipe, lead shot, lead bullets, and all manufactures of lead, N.E.S., scales, balances, weighing beams and weights, brass and copper nails, tacks, rivets and burs or washers, brass pumps of all kinds, and garden or lawn sprinklers, brass and copper wire (plain, turned, or plated), bells and gongs, and all manufactures of brass and copper, N.E.S., wire of all kinds of metal, N.E.S., wire cloth or woven wire, and netting of brass, copper, or steel, screws, commonly called "wood screws," of iron, steel, brass, or other metal (plated or not), and machine or other screws, N.E.S., wire rope, N.E.S., iron or steel nuts, washers, rivets, N.E.S., and bolts (with or without threads), nut-bolts and hinge-blanks, N.E.S., telephone and telegraph instruments, electric and galvanic batteries, lamps, sidelights, headlights, lanterns, chandeliers, gas, coal, or other oil fixtures or metal parts thereof, including lava or other tips, burners, collars, galleries, shades, and shade-holders, buckles of iron, steel, brass, or copper of all kinds, N.E.S. (not being jewellery), slide shoes, N.E.S., stereotypes, electrotypes, and celluloids of newspaper columns, and bases for same, composed wholly or partially of metal or celluloid, and matrices or copper shells for the same, N.O.P., curling stones and fittings therefor, clothes wringers, clothes washers, and other washers for domestic use, gas or oil stoves, stove plates, stoves of all kinds for coal or wood, or parts thereof, and all manufactures of metal, N.E.S., ad valorum	35 per cent.
	When any of the above articles are imported in cases or cabinets, the cases or cabinets shall be dutiable at the same rate as their contents.	

75.	Hardware—*continued.*	
	(*c.*) Anchors, grapnels, coil chain, coil chain links, and chain shackles, tin in sheets and blocks, and solder, N.E.S., fish hooks (not including hooks or fly-hooks for anglers), lead in bars and sheets, wire fencing and fasteners for same, wire rope for rigging vessels, babbitt metal, type metal, phosphor tin and phosphor bronze, in blocks, bars, sheets, and wire, N.O.P., patterns of brass, iron, steel, or other metals not being models, ad valorem	10 per cent.
	(*d.*) Fencing of iron or steel, ad valorem	40 per cent.
	(*e.*) Boiler rivets, coopers' and tinsmiths' rivets, N.E.S., rivets and patent bushings for ships' blocks, metal parts for coffins and caskets, stamped tin and tin parts used in the manufacture of trunks, and silver and composition metal for the manufacture of jewellery and plated ware, ad valorem	20 per cent.
76.	Harness, including horse boots and saddlery of every description, ad valorem	40 per cent.
	Harness findings, viz. :—	
	Loops, winkers, eyes or blinds, metallic and wood findings for harness-making, ad valorem	25 per cent.
77.	Hay, per ton of 2,000 lbs.	$3
78.	Herring, salmon, turbot, halibut, and mackerel, N.O.P., per barrel	$1
79.	Hoop-iron and steel strips for making hoops, N.E.S., including hoop-iron and steel strips punched, splayed, or nosed, over 68 inches in length, ad valorem	5 per cent.
80.	Hops, ad valorem	10 per cent.
81.	Indian or corn meal, when bolted or granulated, including duty on package, per barrel	20 cents.
82.	India-rubber boots and shoes, and all manufactures in part or in whole of india-rubber or gutta-percha; india-rubber clothing and clothing made waterproof with india-rubber or like substances; rubber or gutta-percha hose, and cotton or linen hose lined with gutta-percha or india-rubber, ad valorem	40 per cent.
83.	Iron of all kinds, including galvanised iron in bolts, bars, strips, sheets, plates, and pieces, ad valorem	10 per cent.
84.	Iron and steel railway bars, or rails of any form, punched or not; iron or steel fittings for iron or steel pipe of any description, ad valorem	30 per cent.
85.	Iron or steel bridges, or parts thereof; iron or steel structural work, columns, girders, shapes or sections, not to include outside coverings; iron or steel pipe or tubing, plain or galvanised, riveted, corrugated, or otherwise specially manufactured, threaded, and coupled, or not, ad valorem	20 per cent.
	Wrought iron or steel tubing, plain or galvanised threaded and coupled or not, ad valorem	10 per cent.
86.	Jellies, jams, and preserves, including duty on ordinary crocks and bottles, ad valorem, 35 per cent., per lb.	6 cents.
87.	Jewellery of all kinds, including ornamental hat pins, hair pins, belt or other buckles, and similar ornamented articles, known as jewellery, N.E.S., all manufactures of gold and silver, N.E.S., and sterling and other silverware, nickel-plated ware, gilt or electro-plated ware, wholly or in part, of all kinds, manufactures of Britannia metal, nickel silver, Nevada and German silver, not plated, and manufactures of aluminium, N.E.S., ad valorem	40 per cent.
88.	Knife-brick, knife-polish, and other metal polish or composition for polishing metal, lamp wicks, shoe blacking, stove polish, and shoe dressing, washing soda (sodium carbonate), and caustic potash and lye, ad valorem	35 per cent.
89.	Lard, lard compound, and similar substances, cottolene and stearine of all kinds, N.E.S., ad valorem	30 per cent.
90.	Leather, viz. :—	
	Leather, known as "sole leather," ad valorem	20 per cent.
	Rough, split, undressed leather, when imported by tanners for further dressing, ad valorem	20 per cent.
	Rough, undressed leather, when imported by tanners for further dressing, per lb.	3 cents.
	Glove-grain, boot-grain, oil-grain, buff, split, imitation goat, polished pebble, and waxed calf leather, when bark tanned, ad valorem	30 per cent.
	All other upper leathers, N.E.S., and japanned, patent, or enamelled leather, ad valorem	20 per cent.
	Harness leather, N.E.S., chamois skins, and morocco leather, N.O.P., ad valorem	25 per cent.
	Leatherboard, leatheroid, and manufactures thereof, N.E.S., ad valorem	30 per cent.
91.	Leatherware, viz. :—	
	Boots, shoes, slippers, gaiters, or leggings, of leather, leatheroid, or other material, ad valorem	40 per cent.
92.	Lime (oxide of calcium) (100 lbs. to the bushel), per bushel	15 cents.
93.	Lime juices and fruit juices, when fortified with or containing not more than 25 per cent. of proof spirits, per gallon	60 cents.
	And when containing more than 25 per cent. of proof spirits, per gallon	$2
94.	Limestone, per ton	50 cents.
95.	Locomotives and tenders; boilers for locomotives; railway and tram cars of all descriptions and their component parts; railway fish-plates, switches, frogs, crossings, and intersections for railways, automobiles, and other similar motor vehicles, ad valorem	30 per cent.

96.	Lumber, viz. :—	
	Boards, under 1 inch in thickness, imported expressly for manufacturing dories (not grooved, tongued, or planed), per 1,000 feet	$1
	Boards and plank, 1 inch in thickness, and so in proportion for any greater thickness, N.E.S., per 1,000 feet	$4
	Boards and plank, grooved, tongued, or planed, 1 inch in thickness, and so in proportion for any greater thickness, per 1,000 feet	$5
	Oak, pitch-pine, elm, beech, green-heart and iron-wood lumber, under 5 inches square, per 1,000 feet	$1
	Laths and shingles, per 1,000 feet	60 cents.
97.	Machines and machinery, viz. :—	
	(*a.*) Steam boilers, when imported to be used for heating purposes, radiators, fan-blowers, elevators, fanning-mills, horse-power machines, machinery and parts of machinery, N.E.S., electric light machinery and electric material of every description, including carbons, electric-meters, and electric apparatus, turning lathes, fret-saw machines, scroll-saw machines, N.E.S., costing at place of shipment less than $6, and to be driven by hand or foot power, N.E.S., and dating, ruling, paging, or perforating machines, ad valorem	35 per cent.
	(*b.*) Turning lathes, fret-saw machines, scroll-saw machines, N.E.S., costing at place of shipment over $6, gas engines, type-writers, fog horns, patented; machinery, patented, and of a kind not manufactured in this colony, N.E.S., machines for the manufacture of boots and shoes, planing, boring, mortizing, moulding, and similar machines for builders' purposes, power machines for the manufacture of steam and other engines and boilers, sewing and knitting machines and parts thereof, machine felt for pulp wet machine, steam boilers, engines, propellers, winches, and parts of machinery to be used in ships, N.E.S., steam engines, to be used in local industries, and steam boilers, not to be used for heating purposes, N.E.S., portable saw mills, and electric motors, ad valorem	25 per cent.
	(*c.*) Machines for carding wool, spinning wheels, wool cards, water wheels, steel propellers, N.E.S., and ruling machines and pens for same, book-binders' tools and implements, leather, book-binders' wire, stitching machines, book-binders' cloth and marble paper, and paper board, when imported by book-binders for use in their trade and not for sale, and paper for covers of books when imported by printers, ad valorem	10 per cent.
98.	Malt, ad valorem	10 per cent.
	Moss and porterine, when imported by brewers, ad valorem	30 per cent.
99.	Mariners' compasses and cards for same, patent logs and log lines, sextants, and quadrants, ad valorem	20 per cent.
	Thermometers, barometers, clinometers, telescopes, binoculars, parallel rulers, brass binnacles, and chronometers for ships' use, ad valorem	35 per cent.
100.	Marline for making lobster pots, ad valorem	10 per cent.
101.	Mast pieces and spars, viz. :—	
	Dressed or partly dressed, 60 feet or over in length, N.E.S., ad valorem	20 per cent.
	Dressed or partly dressed, under 60 feet in length, N.E.S., ad valorem	30 per cent.
	Undressed, 60 feet or over in length, including wharf shores, N.E.S., per ton	$1 20 cents.
	Undressed, under 60 feet in length, including wharf shores, N.E.S., per ton	$2 40 cents.
102.	Matches of all kinds, ad valorem	40 per cent.
103.	Meats, viz. :—	
	Canned meats, known as C.C. beef, corned beef, corn beef, corn beef hash, luncheon beef, roast beef, boiled beef, roast mutton, boiled mutton and brawn, reputed per lb.	3 cents.
	All other canned meats, N.E.S., ad valorem	35 per cent.
	Meat, fresh, per lb.	2 cents.
	Poultry and game, dead, per lb.	3 cents.
	Sausages, per lb.	5 cents.
	Bacon, hams, tongues, and beef, smoke cured, per lb., 3 cents., ad valorem	10 per cent.
	Hams and tongues, dry salted or pickled, per lb.	2 cents.
	Meats, dry salted, N.E.S., per lb.	1 cent.
	Beef, when salted in barrels, including duty on barrels, per barrel	$1
	Pigs' heads, jowls without tongues, hocks, feet and ribs, when salted in barrels, including duty on barrel, per barrel	$1
	Pigs' jowls and tongues, when salted in barrels, including duty on barrel, per barrel	$1 50 cents.
	Pigs' feet preserved in vinegar, ad valorem	35 per cent.
	Pork, in barrels or half-barrels, viz. :—	
	Mess, family, prime mess, rump, extra prime, bean, clear, butt and ham, including duty on packages, per barrel	$1 50 cents.
	Belly, back, or family, mess or loin pork, including duty on packages, per barrel	$2

104.	Medicinal, chemical, and pharmaceutical preparations when composed of one or more than one substance, N.E.S., patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, N.E.S., antiseptic surgical dressing, such as absorbent cotton, cotton wool, lint, lambs' wool, tow, jute, gauze, and oakum, prepared for use as surgical dressing, plain or medicated surgical belts, pessaries, and suspensory bandages of all kinds, oiled silk, cod-liver oil, and compounds of which cod-liver oil forms a prominent part, liquorice, paste, liquorice in rolls and sticks, when of the quality known as Spanish liquorice, paraffin wax, bees' wax, Burgundy pitch, vaseline, and all other similar preparations of petroleum for toilet, medicinal, or other purposes, and cream of tartar, ad valorem	30 per cent.
105.	Mosaic flooring of any material, roofing slate, slate mantles, and other manufactures of slate, N.E.S., ad valorem	40 per cent.
106.	Nails, viz. :—	
	Iron or steel, cut nails and spikes (ordinary builders'), pressed nails and pressed spikes of all kinds, wire nails of all kinds, iron or steel tacks of all description, leathered or not, N.E.S., and galvanized cut nails and spikes, ad valorem	35 per cent.
	Shoe tacks, brads, sprigs, and shoe nails, ad valorem	25 per cent.
	Wrought, when hand made, brade used by broom-makers for fastening wire, nails used by brush-makers in making brushes, horse-shoe nails, and galvanized nails and spikes, and sheathing nails, N.E.S., ad valorem	10 per cent.
107.	Nets, netting, trawl gear, traps and seines, for use in sea and salmon fisheries, ad valorem	20 per cent.
108.	Nuts, viz. :—	
	Almonds, walnuts, Brazil nuts, pecans, peanuts, filberts, hickory, and other kinds of nuts, N.E.S., per lb.	2 cents.
	Nuts, shelled, per lb.	4 cents.
	Cocoanuts, N.E.S., per 100	$1
	Cocoanuts, when imported from the place of growth by vessel direct to a Newfoundland port, per 100	50 cents.
	Cocoanuts, desiccated, sweetened, or not, per lb.	3 cents.
109.	Oakum, per lb.	1 cent.
110.	Oatmeal and rolled oats, in bags or barrels, including duty on barrels and bags, per 100 lbs.	20 cents.
111.	Oats, including duty on bags, per bushel of 34 lbs.	5 cents.
112.	Oiled clothes, ad valorem	30 per cent.
113.	Oils, viz. :—	
	Coal oil, naphtha, N.E.S., gasolene, benzine, and all illuminating oils, N.E.S., per gallon	6 cents.
	Linseed or flaxseed oil, raw or boiled, N.E.S., tallow and grease, N.E.S., crude petroleum, to be used in the manufacture of gas by gas companies, spirits of turpentine and olien beef oil, neutral lard stock, cotton-seed oil, sesame and other oils to be used in manufacturing, N.E.S., and butter colouring, ad valorem	15 per cent.
	Essential oils, lubricating oil and axle grease, neatsfoot oil, lard oil, sesame oil, N.E.S., olive oil, N.E.S., and extract for dyeing leather, ad valorem	25 per cent.
	Spermaceti, whale, and other fish oils, ad valorem	35 per cent.
114.	Oysters or clams, in the shell or shelled, in packages not hermetically sealed, ad valorem...	25 per cent.
115.	Paint and colours of all kinds, whiting, chalk, lamp black, ivory black, dyes of all kinds, ultramarine, putty, copper paint, varnishes, lacquers, japans, Japan dryers, oil finish, British gum, dextrine, glue, sizing cream, and sizing of all kinds, ad valorem	30 per cent.
116.	Paper hangings and borderings, ad valorem	35 per cent.
117.	Peas (round), including duty on packages, per barrel	50 cents.
118.	Peas (split and dried), green, including duty on packages, per lb.	½ cent.
119.	Perfumery, including toilet preparations (non-alcoholic), viz. :—	
	Hair oils, tooth and other powders, washes, pomatums, pastes, and all other perfumed preparations, N.E.S., used for the hair, mouth, or skin, and pomades, French or flower odours, preserved in fat or oil, ad valorem	40 per cent.
120.	Pianofortes, organs, and musical instruments of all kinds, and parts thereof, N.O.P., including cat-gut and other strings, provided that musical instrument cases shall be dutiable at the same rate as their contents when imported containing the instruments, and phonographs, gramaphones, and such instruments, ad valorem	40 per cent.
121.	Picture frames and photo frames of any material, ad valorem	40 per cent.
122.	Plaster of Paris or gypsum, ground, manufactured, or calcined, and Paris green, dry, ad valorem	20 per cent.
	Plaster casts, N.E.S., ad valorem	30 per cent.
123.	Potatoes, per bushel	10 cents.
124.	Poultry, alive, ad valorem	20 per cent.

125.	Ready-mades, clothing of all kinds, N.E.S., including collars and cuffs, N.E.S., ad valorem	45 per cent.
126.	Rice, cleaned, per lb.	¼ cent.
127.	Sails for boats and ships, tarpaulins, tents, and awnings, ad valorem	40 per cent.
128.	Salt, dairy and table salt, N.E.S., ad valorem	10 per cent.
129.	Saws, when used as a part of the original construction of mills and factories, N.E.S., ad valorem	10 per cent.
130.	Shoemakers' ink, harness and leather dressing, and harness soap, ad valorem	20 per cent.
131.	Small wares, viz. :—	
	(*a.*) Artificial flowers and dressed feathers, ribbons of every description, N.E.S., crapes of all kinds, velvets, velveteens, silk velvet, plush, and silk fabrics, N.E.S., embroideries, laces, braids, freizes, cords, garters, bracelets, N.E.S., braids, chains, cords, or other similar manufactures of hair or wool, N.E.S., handkerchiefs of all kinds, scarfs and ties, corsets, lace collars and all other similar lace goods, lace nets, netting and veiling of every description, shams, curtains of all kinds, regalia of societies (including jewels), badges and belts of all kinds, N.E.S., and hair, curled or dyed, ad valorem	40 per cent.
	(*b.*) Cotton sewing thread, crochet cotton, knitting cotton, and all other cotton, silk, and linen threads, boot, shoe, and stay laces, buttons, elastic and non-elastic webbing, needles and pins, elastic, round and flat, and garter elastic, ad valorem	25 per cent.
132.	Soaps and pearline, and other soap powders, ad valorem	40 per cent.
	All ingredients used in the manufacture of soap, candles, laundry blue, shoe and stove polish, paying more than 25 per cent. when imported by manufacturers, ad valorem	25 per cent.
133.	Spirits, viz. :—	
	Spirituous or alcoholic, distilled from any material, or containing or compounded from or with distilled spirits of any kind, and any mixture thereof with water, for every gallon thereof of the strength of proof, and when of a greater strength than that of proof, at the same rate on the increased quantity that there would be if the liquors were reduced to the strength of proof, as follows, viz., alcohol, ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl, or spirits of wine, amyl, alcohol or fusil oil, or any substance known as potato spirit or potato oil, absinthe, arrack or palm spirits, and spirits over 43 per cent. over proof, and so in proportion for any greater strength, per gallon	$3 50 cents.
	Cordials, liquors, and spirits of all kinds, N.E.S., and mescal, pulque, rum-shrub, schiedam and other schnaps, tafia, angostura, and similar alcoholic beverages, per gallon	$2 60 cents
	Methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirits, or any substance known as wood spirits or methylated spirits, ether, nitrous ether, sweet spirits of nitre, and aromatic spirits of ammonia, alcoholic perfumes and perfumed spirits, bay rum, cologne, and lavender waters, Jamaica ginger, fruit essences, hair, tooth, and skin washes, and other toilet preparations containing spirits of any kind, and all medical preparations containing over 30 per cent. of alcohol, ad valorem	50 per cent.
	All medical preparations containing less than 30 per cent. of alcohol, tinctures, or medicines or medicinal wines (so-called), including medicated beef fluids, such as beef, iron, and wine, and ethereal and spirituous fruit essence, N.E.S., ad valorem	30 per cent.
	Brandy, including artificial brandy, and imitations of, per gallon	$3 50 cents.
	Whiskey, per gallon	$3 10 cents.
	Gin of all kinds, per gallon	$2 60 cents.
	Rum, per gallon	$2 20 cents.
	In all other cases where the strength of any of the foregoing articles cannot be ascertained by the direct application of the hydrometer, it shall be ascertained by the distillation of a sample, or in such manner as the Minister of Finance and Customs directs. When spirits are imported in bottles, six reputed quarts or twelve reputed pints shall be held to contain one gallon, and so for any smaller bottle or flask that may be imported.	
134.	Stationery :—	
	(*a.*) Albumenized and other papers and films chemically prepared for photographers' use, wrapping paper, toilet paper, sandpaper, glass or flint paper, emery-paper and emery-cloth, millboard, strawboard in sheets or rolls, tarred-paper, felt or strawboard or sheathing paper, ruled, bordered, and coated papers, papetries, boxed-papers, pads not printed on, envelopes, and all manufactures of paper, N.E.S., erasing rubbers of all kinds, mucilage and other liquid gums, inks for writing, photographs, N.O.P., chromos, chromotypes, autotypes, oleographs, paintings, drawings, pictures, engravings or prints, or printed or proofs therefrom, and similar works of art, N.O.P., blue prints and builders' plans, and Christmas, New Year, Easter, Birthday, and all similar cards, books to be written or drawn upon, blank account books, N.E.S., paper sacks or bags (not printed on), lead pencils, pencils of all kinds, N.E.S., pens, penholders, and rulers of all kinds, artists' paints and colours, brushes and other drawing requisites, ad valorem	35 per cent.

134.	Stationery—*continued.*	
	(*b.*) Newspapers, or supplemental editions or parts thereof, partly printed, and intended to be completed and published in Newfoundland, ad valorem	25 per cent.
	(*c.*) Slate pencils, chalk crayons, to be used in schools, school writing slates and copybooks, headed for school purposes, ad valorem	10 per cent.
	(*d.*) Printed music, bound or in sheets, music for phonographs, pianolas, and such like instruments, and maps and charts, N.E.S., ad valorem	10 per cent.
	(*e.*) Advertising and printed matter, viz., advertising pamphlets, advertising pictorial show cards, illustrated advertising periodicals, illustrated price books, catalogues and price lists, N.O.P., directories of the colony, when printed outside of the colony, advertising almanacs and calendars, patent medicine or other advertising circulars, fly sheets or pamphlets, advertising chromos, chromotypes, oleographs, or like work produced by any process other than hand-painting or drawing, and having any advertisement or advertising matter printed, lithographed, or stamped thereon, or attached thereto, including advertising bills, folders, and posters, or other similar artistic work lithographed, printed, or stamped on paper or cardboard for business or advertisement purposes, N.O.P., playing cards, labels of all kinds, shipping, price, or other tags, tickets of all kinds, when printed upon or lithographed, or partly printed, bank-notes, bonds, bills of exchange, cheques, promissory notes, drafts, and all similar work unsigned, check-books for counter use, bill-heads, forms, and cards, or other commercial blank forms, printed, lithographed, or printed from steel or copper or other plates, and other printed matter, N.E.S., and paper sacks and bags, when printed on, ad valorem	50 per cent.
135.	Staves, viz. :—	
	Oak, undressed, ad valorem	5 per cent.
	Of other woods, undressed, ad valorem	25 per cent.
	Manufactured and dressed, or partly manufactured and dressed, per 1,200	$5 50 cents.
	Heading, for coopers' use, per pair	5 cents.
136.	Steel, viz. :—	
	Mild, in bolts, bars, sheets, plates, and pieces, N.E.S., ad valorem	10 per cent.
	Known as "blister steel," "chrome steel," and hard or cast, ad valorem	30 per cent.
	Shafting, turned, compressed, or polished, when measuring under 5 inches in diameter, N.E.S., ad valorem	30 per cent.
	Shafting, turned, compressed, or polished, when measuring over 5 inches in diameter, N.E.S., ad valorem	10 per cent.
137.	Straw, per ton of 2,000 lbs.	$2
138.	Sugars :—	
	Loaf, cut loaf, cube, and castor or iceing sugar, per lb.	4 cents.
	All other white and granulated sugars, N.E.S., per lb.	3 cents.
	Brown and yellow sugar, not granulated, per lb.	2 cents.
139.	Tar, viz. :—	
	Stockholm, American, and coal tar, pitch and resin or rosin, tar mixtures (asphalt and asphaltum and like preparations), ad valorem	15 per cent.
140.	Tea, ad valorem	33 per cent.
141.	Timber, squared or partly squared, measuring 5 inches square and over, N.E.S., and not to include mast-pieces or wharf-shores or logs, undressed, per ton	60 cents.
142.	Tinware, plain, japanned, or lithographed, and all manufactures of tin and manufactures of galvanized sheet iron and sheet steel, N.O.P., including shingles of metal and metal facings and coverings for buildings (pressed, formed, or otherwise prepared), agate, granite, or steel hollow-ware, and nickel or aluminium kitchen or household hollow-ware, ad valorem	45 per cent.
143.	Tobacco, viz. :—	
	Manufactured tobacco, per lb. 33 cents, ad valorem	6 per cent.
	Leaf, stripped or partly manufactured, per lb. 40 cents, ad valorem	5 per cent.
	Leaf and stems, per lb.	40 cents.
	Stems for manufacturing snuff, per 100 lbs.	50 cents.
	Cigars, per 1,000 $10, ad valorem	20 per cent.
	Cigarettes, per 1,000 $6, ad valorem	30 per cent.
	Tobacco pipes of all kinds, pipe mounts, cigar and cigarette cases, cigar and cigarette holders and cases for same, smokers' sets and cases therefor, and tobacco pouches, ad valorem	40 per cent.
	Snuff, per lb.	50 cents.
144.	Trunks of all kinds and valises, N.E.S., hat boxes, carpet bags, tool bags or baskets, satchels, reticules, musical instrument cases, purses, portmanteaus, pocket-books, fly-books and parts thereof, and baskets of all kinds, ad valorem	40 per cent.
145.	Tubes for boilers, of wrought iron or steel, including flues and corrugated tubes for marine boilers, ad valorem	10 per cent.
146.	Tweeds, cloths, doe skins, felt cloth and fabrics composed wholly or in part of wool or worsted, N.E.S., ad valorem	35 per cent.
147.	Twines for sailmaking, viz. :—	
	Hemp roping and seaming, and cotton sail twine, and all other twines, N.E.S., ad valorem	30 per cent.

148.	Vegetables, viz. :—	
	Turnips, carrots, parsnips, beet, sweet potatoes, and yams, per bushel	20 cents.
	Tomatoes, cucumbers, onions, squashes, pumpkins, rhubarb, melons, and other vegetables, N.E.S., ad valorem	30 per cent.
149.	Vinegar, when imported in casks, including the duty on package, per gallon	15 cents.
	Vinegar in bottle, ad valorem	30 per cent.
150.	Whips of all kinds, including thongs and lashes, ad valorem	40 per cent.
151.	Wines, viz. :—	
	Champagne, per gallon	$1 60 cents.
	Port and Madeira, per gallon	$1 80 cents.
	Sherry and Manzanilla, per gallon $1, ad valorem	15½ per cent.
	Malaga and Montilla, costing at the place of shipment less than 80 cents per gallon, per gallon	40 cents.
	Malaga and Montilla, costing at the place of shipment 80 cents per gallon, and any above that price, per gallon $1 10 cents, ad valorem	15 per cent.
	Hock, Burgundy, and light Rhenish wines, per gallon	$1 10 cents.
	Claret, per gallon	60 cents.
	Spanish red, Denia, Sicilian, Figueira, red Lisbon, cape and common Lisbon, per gallon	40 cents.
	Ginger wine, containing not more than 26 per cent. of proof spirits, per gallon	$1
	Ginger wine, containing over 26 per cent. of proof spirits, per gallon	$2 60 cents.
	Vermouth wine, containing not more than 36 per cent. of proof spirits, per gallon	$1
	Vermouth wine, containing over 36 per cent. of proof spirits, per gallon	$2 60 cents.
	All other wines, N.O.P., per gallon $1 20 cents, ad valorem	15 per cent.
	When wines of any kind are imported in bottles, six reputed quarts or twelve reputed pints shall be held to contain one gallon.	
152.	Window shades, in the piece, or cut and hemmed, or mounted on rollers, N.E.S., ad valorem	40 per cent.
153.	Women's and children's dress goods, coat linings, Italian cloths, alpacas, Orleans, Cashmeres, Coburgs, Henriettas, serges, buntings, nuns' cloth, Bengalines, whipcords, Winceys, Linseys, twills, plain or jacquard of similar fabrics, composed wholly or in part of wool or worsted, N.E.S., ad valorem	35 per cent.
154.	Wood, manufactures of, viz. :—	
	Manufactures of corkwood other than cork stoppers for bottles and jars, N.E.S., pails and tubs (of wood), churns, washboards, pounders, rolling pins, mouldings of wood, plain, gilded, or otherwise manufactured, fishing rods of all kinds, walking sticks and walking canes of all kinds, coffins and caskets, hoops for coopers and other manufactures of wood, N.E.S., ad valorem	40 per cent.
	Hoops for masts, ruches for coopers' use, and excelsior, hair and other material for making mattresses or stuffing furniture, and hair and bristles for the manufacture of brushes, ad valorem	20 per cent.
	Trunks and valises, in whole or in part of wood, ad valorem	40 per cent.
155.	Yarns, woollen and worsted, ad valorem	20 per cent.
156.	Zinc, and manufactures of zinc, N.E.S., ad valorem	35 per cent.
157.	Unenumerated goods :—	
	All goods not enumerated in this Act as subject to any other rate of duty, nor declared free of duty by this Act, and not being goods the importation whereof is by this Act or any Act prohibited, shall be subject to a duty of, ad valorem	40 per cent.

Schedule B.

TABLE OF EXEMPTIONS.

158. Admiralty charts.

159. Agricultural implements and machinery, N.E.S., and hay-binders, bone crushers, hay and feed cutters, air motors, cream separators and incubators.

160. Animals, imported by agricultural societies, or by private persons, under the approval of the Governor in Council, for the improvement of stock.

161. Apparel, wearing and other personal and household effects, not merchandize, of British subjects dying abroad, but domiciled in Newfoundland, books, pictures, family plate or furniture, personal effects and heirlooms left by bequest.

162. Articles for use of the Governor.

163. Articles, when imported by and for the use of the army and navy, also articles consigned direct to officers and men on board vessels of His Majesty's navy for their own personal use or consumption.

164. Articles imported by or for the use of the Government or any of the departments thereof.

165. Articles imported for the use of the Municipal Council.

166. Articles for the official use of Consuls.

167. Articles imported for religious purposes, and used in the worship of the denomination requiring the same, and bells, musical instruments, stained glass windows, statuary, paintings, carpets, chandeliers, lamps, clocks, and fancy hard wood for interior finishing, when imported solely for use in churches and chapels.

168. Articles imported by the Anglo-Development Co., Ltd., viz.: all construction materials and machinery for pulp and paper mills, both for the original installation and further extension of same, but not in substitution for old.

169. Artificial limbs.

170. Bait.

171. Bags, barrels, boxes, casks, and other vessels exported, filled with Newfoundland products, or exported empty and returned filled with foreign products, and articles, the growth, produce, and manufacture of Newfoundland, when returned after having been exported, provided that proof of the identity of such articles and goods shall be made under regulations to be prescribed by the Governor in Council, and that such articles and goods are returned within one year from the time of exportation, without having been advanced in value or improved in condition by any process of manufacture or other means, provided further that this item shall not apply to any article or goods upon which an allowance or drawback has been made, the re-importation of which is hereby prohibited, except upon payment of duties equal to the drawback allowed, nor shall this item apply to any article of goods which has paid an excise duty.

172. Bark, extract of bark, cutch, bi-carbonate of potash, and logwood.

173. Bicycles, anglers' outfits, trouting gear, firearms and ammunition, tents and implements of tourists, when in the custody of tourists, and under conditions made by the Minister of Finance and Customs to secure the export of such articles, or the payment of the regular rate of duty on such articles when otherwise imported if the articles are sold or left in the colony.

174. Boilers and ships' plates when of the thickness of one quarter of an inch or over that thickness.

175. Books, printed and not to be written or drawn upon, and supplements for periodicals, specially imported for the *bonâ fide* use of incorporated institutes; official reports, newspapers, and quarterly, monthly, and semi-monthly magazines, weekly library papers, unbound, and Christmas annuals, black-boards, specimens, medals, and wall diagrams illustrative of natural history, imported for colleges, schools, and public libraries; Kindergarten requisites and catalogues, and price-lists of persons, firms, or companies domiciled elsewhere, and not personally doing business here.

176. Chair cane, or reeds of withrod, when imported in an unmanufactured state.

177. Clothing and medicine, donations of, for charitable purposes, and photographs sent by friends and not intended for sale.

178. Coin and bullion.

179. Copper, bitumen, naphtha, and iron oxide, to be used by manufacturers in the manufacture of copper paint.

180. Corn for the manufacture of brooms and whisks.

181. Cotton yarn, raw cotton, and coke.

182. Cotton-seed oil, olive oil, boracic acid, acetic acid, preservaline, when imported by manufacturers to be used in the preservation of fish or fish-glue.

183. Engravers' plates of steel, polished for engraving thereupon; photo engraving machinery, viz., router, bevelling, and squaring machines, screen holders, cross-line screens, chemicals for use in engraving, wood for blocking, engraving tools, and process plates.

184. Equipments, accoutrements, and musical instruments for boys' brigades and Salvation Army, and ammunition and arms for volunteer corps, under the approval of the Minister of Finance and Customs.

185. Fish, of British catch and cure, and oil the produce of such fish (not to include preparations of cod-liver oil), eggs of fish or game birds, when imported for propagation.

186. Flour, wheaten, and the package in which it is imported.

187. Globes, geographical, topographical, and astronomical maps and charts for the use of schools; pictorial illustrations of insects or similar studies, when imported for the use of colleges, schools, and library associations; manuscripts and insurance maps.

188. Hemp, hemp yarn, coir yarn, sisal, manilla, jute, flax, and tow.

189. Hides, or pieces of hides, not tanned, curried, or dressed.

190. Hoop iron or hoop steel, splayed, punched, or nosed, and cut in lengths not to exceed 68 inches, to be used in making herring barrels.

191. Indian corn.

192. Junk, old iron, old copper, and old composition metal.

193. Kerosene oil, and the package in which it is imported.

194. Lines and twines used in connection with the fisheries, not including sporting tackle.

195. Machinery, of all kinds, to be used in the actual breaking of coal or ore bodies underground or in an open pit, viz.: Rick drills, coal cutters; pumping engines of all kinds, to be used in transferring water from the underground, or open pit workings, to the surface; hoisting engines, or other machinery to be used as a motive power to lift ores or coal from underground, or from an open pit, to the surface; crushers, or other machinery to be used in the actual breaking of ores, so as to facilitate refining or transportation; special machinery of all kinds, to be used for the washing, concentration, reduction, or the refining of any ore or coal, or for the manufacture of brick; prospecting drills of all kinds, to be used for proving the extent or existence underground of coal, oil, or ore bodies; cranes and derricks, when used for the actual handling of coal or ore from the workings to the surface; compressors, to be used for the operation of any of the above machines; fire clay and fire brick, to be used in the construction of any ore reduction or smelting plant; dynamite, detonators, blasting powder, fuses of all kinds, blasting batteries, battery wire and drill steel; wrought iron or other pipes, to be used in transmitting steam, compressed air, or water through the underground or open pit workings, and from the point of accumulation to the point of exit; hoisting and hauling cables, to be used in the lifting and transporting of coal or ore from the working face to the point of shipment; machinery, or other equipment to be used in conveying coal or ore within the mine, or from the working to the surface; provided that should any of the foregoing mentioned articles in this section be used for any other purposes than that for which they are here set forth as being duty free, they shall be dealt with as smuggled goods, and be subject to all the provisions in such cases provided under the Customs Acts, 1898 to 1905. The words "machinery" in this item are not to include or relate to steam boilers or parts thereof.

Machinery to be used in the manufacture, within this colony, of twines, lines, nets, seines, cordage, or other fishing gear.

Motor engines, other than steam, when imported to be used in vessels owned in this colony and employed solely in missionary work within the colony.

196. Manures and fertilisers of all kinds, and sulphuric acid when imported to be used in the manufacture of manures.

197. Material for sheathing the bottoms of vessels, such as zinc, copper, and composition metal, together with nails and paper or felt, which may be used for or under such sheathing when used for sheathing vessels, under regulations to be made by the Governor in Council, and lignum vitæ.

198. Molasses, produced in the West India Islands, in the process of the manufacture of sugar from the juice of the sugar cane, and the package in which it is imported.

199. Music, written.

200. Oil cake, oil-cake meal, cotton-seed cake, cotton-seed meal, pease meal, bran, and other preparations for cattle and chicken feed.

201. Ores to be used as flux.

202. Parchment or wax paper, when imported specially for wrapping boneless fish, or for lining tins used in the lobster packing industry in this colony.

203. Pig-iron, nail strips of iron, steel, zinc, or brass, to be used in the manufacture of cut nails in this colony.

204. Plants, trees, and shrubs, also seeds for agricultural purposes, N.E.S., and florists' seeds.

205. Printing paper, printing presses, printing types, printers' ink, and printers' office furniture, when imported by *bonâ fide* printers for use in their business.

206. Rice, uncleaned or refuse rice.

207. Samples of no commercial value, sand and fireclay, sausage skins or casings, salt in bulk, when imported for use in the fisheries.

208. Scrap-iron and scrap-steel (old) and fit only to be remanufactured, being part of or recovered from any vessel wrecked in waters subject to the jurisdiction of Newfoundland.

209. Steel shafting, when imported for use in steam vessels.

210. Supplies, stores, and donations for the Moravian Missionaries on Labrador and for the Deep Sea Mission, under such rules and regulations as may be made by the Governor in Council.

211. Settlers' effects, viz., wearing apparel, household furniture, books, implements and tools of trade, occupation, or employment, guns, musical instruments, domestic sewing machines, typewriters, live stock, bicycles, carts, and other vehicles, and agricultural implements in use by the settler for at least six months before his removal to this colony, not to include machinery or articles imported for use in any manufacturing establishment, or for sale, provided that any dutiable article entered as settlers' effects may not be so entered unless brought with the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty, until after twelve months' actual use in the colony, and travellers' baggage, under regulations prescribed by the Governor in Council.

212. Scientific instruments and apparatus, when imported for use in colleges, schools, and scientific or literary societies, and specimens illustrative of natural history, medals, and such other articles as may be imported by schools or associations, to be distributed as prizes when such other articles are approved by the Minister of Finance and Customs.

213. Stereotypes, electrotypes, and celluloids for almanacs, calendars, illustrated pamphlets, newspapers, advertisements or engravings, and all other like work for commercial, trade, or other purposes, and matrices or copper shells for the same.

214. Surgical and dental instruments (not being furniture), and surgical needles, clinical thermometers, catgut and silk sutures, galvanic battery and electrodes, when imported by doctors for use in their profession.

215. Unmanufactured wood.

216. Wire, of brass, zinc, or steel, screwed or twisted or flattened or corrugated, when imported by manufacturers of boots and shoes, for use in connection with nailing machines for the manufacture of boots and shoes, to be used for such purposes only in their own factories.

217. Wheat, whole, not ground or crushed.

218. Works of Art, viz. :—Paintings in oil or water colours by artists of well-known merit, or copies of the old masters by such artists, and paintings in oil or water colours, the production of Newfoundland artists, under regulations prescribed by the Governor in Council, and engravings, when produced by the Art Union Society of London.

Schedule C.

PROHIBITED GOODS.

219. Books, printed paper, drawings, paintings, prints, photographs, or representations of any kind of a treasonable or seditious, or an immoral or indecent character.

220. Coin, base or counterfeit.

221. Goods, manufactured or produced wholly or in part by prison labour, or which have been made within or in connection with any prison, gaol, or penitentiary, shall not be imported into this colony, under a penalty of two hundred dollars, and, if imported, such goods and the package in which they are contained shall be forfeited.

222. Reprints of Newfoundland copyright works, and reprints of British copyright works which have been copyrighted in Newfoundland also.

223. Tea, adulterated with spurious leaf or with exhausted leaves, or containing so great an admixture of chemical or other deleterious substance as to make it unfit for use.

224. Salt, known as fishing salt, which has been used in vessels or elsewhere in the curing or making of fish, prior to its importation into this colony.

Schedule D.

EXCISE.

The following duties shall be raised, levied, and collected on the following articles distilled, brewed, or manufactured in this colony, viz. :—

225.	Brandy, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, the gallon ...	$2 35 cents.
226.	Whiskey, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, the gallon ...	$1 85 cents.
227.	Gin, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, the gallon	$1 75 cents.
228.	Rum, not exceeding the strength of proof by Sykes's hydrometer, and so in proportion for any greater strength than the strength of proof, the gallon	$1 50 cents.
229.	Ale, porter, Bavarian beer botanic beer, and all other small and dextrinous liquors, the gallon	5 cents.
230.	Tobacco, per lb.	27½ cents.
231.	Oleomargarine, butterine, or similar compounds, per lb.	1 cent.
232.	Cigarettes, per lb.	28 cents.

NEW SOUTH WALES.

PAPERS

RELATIVE TO THE

WORKING OF TAXATION OF THE UNIMPROVED VALUE OF LAND IN NEW SOUTH WALES.

(*In continuation of* [Cd. 3740] *September*, 1907.)

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PAPERS

RELATIVE TO THE

WORKING OF TAXATION OF THE UNIMPROVED VALUE OF LAND IN NEW SOUTH WALES.

No. 1.

THE SECRETARY OF STATE to THE GOVERNOR.

SIR, Downing Street, May 24, 1907.

I HAVE the honour to transmit to you, for the consideration of your Ministers, copy of a question asked in the House of Commons by Mr. Wedgwood on the subject of the taxation of land values in New South Wales.

2. In the memorandum enclosed in your despatch of the 28th of May, 1906,* Mr. Spiller states that no system of taxation of land on an unimproved basis for municipal purposes had up to that date been instituted, but that the Local Government (Shires) Act and the Local Government (Municipalities) Bill provided for a Municipal Land Tax on that basis.

3. In a Sydney press telegram published in the "Times" newspaper of the 10th of May, it is stated that in a speech delivered by the Premier on the 9th of May, "Other financial reforms outlined included taxation for local works, such as large municipal operations under a 'Greater Sydney' scheme, levied on unimproved value instead of on industry."

4. I shall be glad to learn whether any further legislation on the subject of taxation on unimproved values of land is contemplated beyond that contained in the Local Government (Municipalities) Bill, which has now passed into law, and, if so, what are the scope and nature of such legislation.

5. I have also to enquire whether the Premier is yet in a position to furnish a report on the working of the Local Government (Shires) Act.

I have, &c.,
ELGIN.

Enclosure in No. 1.

House of Commons, Tuesday, May 14, 1907.

Mr. WEDGWOOD asked the Prime Minister, "whether his attention has been called to the proposed legislation in New South Wales involving the paying for town improvments by a rate on the unimproved land value instead of on industry; and whether he will try to obtain and lay upon the Table of this House a report from the Premier of New South Wales on the aims and scope of this proposed legislation, as well as on the Shires Act that was passed in 1905."

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* No. 3 in [Cd. 3191] November, 1906.

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No. 2.

The GOVERNOR to the SECRETARY OF STATE.

(Received August 26, 1907.)

My Lord, State Government House, Sydney, July 17, 1907.

With reference to Your Lordship's despatch of the 24th May last, on the subject of the taxation of land values, I have the honour to transmit, for Your Lordship's information a report which has been furnished by the Officer-in-Charge, Local Government Branch, on the Local Government legislation of this State, together with copies of Acts and printed Reports referred to in such report.

2. In reply to the inquiry contained in paragraph No. 4 of Your Lordship's despatch, I have to state that my Ministers advise me that no further legislation dealing with taxation on unimproved values of land is at present contemplated.

I have, &c.,
HARRY H. RAWSON,
Governor.

Enclosure in No. 2.

Department of Public Works, N.S.W.,
Local Government Office, July 6, 1907.

Minute as to whether any further legislation *re* Taxation of Unimproved Values is contemplated beyond that contained in the Local Government Act.

(1.) The Local Government (Shires) Act, 1905, authorised the constitution of Local Governing Areas, to be called Shires, throughout the State, with the exception of the Western Division, and with the exception of those areas already incorporated in municipalities. The Councils of these shires were empowered by this Act to levy general rates (not exceeding 2d. in the £) upon the unimproved capital value of all rateable land.

(2.) The Local Government Extension Act, 1906, extended the powers of the Shire Councils: authorised them to levy special, local and loan rates on either the unimproved, or the improved, capital value of all rateable land: and extended these provisions for the rating of unimproved or improved capital values to municipalities in respect of general, special, local and loan rates.

(3.) At the end of the 1906 session of Parliament, both the Local Government (Shires) Act, 1905, and the Local Government Extension Act, 1906, were consolidated in an Act called the Local Government Act, 1906.

(4.) The Shire Councils were only elected in November, 1905, and, because of the vast extent of their territories, and other reasons, have not yet completed the compilation of their valuations, so that, up to the present, none of them have actually levied their rates. For this reason this Department is not yet in a position to furnish a report on the working of those sections of the Act dealing with the rating of land values.

(5.) In the Local Government Act it was provided that the sections of the Act respecting valuations and rates should not come into operation *in municipalities* until a date to be proclaimed by the Governor, though the rest of the Act came into operation on receiving His Excellency's assent. It has been decided that the valuing and rating sections of the Act shall be proclaimed to come into operation in municipalities on 1st January, 1908. In the year 1908, therefore, the Councils of municipalities will (*a*) levy their general rates on the unimproved capital value of land; (*b*) levy their additional general rates, if any such are required, on either the unimproved or the improved capital value; and (*c*) levy such special, local or loan rates as they require on either the unimproved or improved capital value. A report on the effect of these changes in the basis of municipal rating cannot therefore very well be prepared till, at the earliest, about the middle of the year 1909, and would even then, I think, be premature. A true view of the effect of so far-reaching and important a change cannot, I submit, be expected to be attained until after it has been in operation for a period of years.

(6.) So far as I am aware no further legislation on the subject of the taxation of unimproved capital values of land is contemplated, with the following exception: The Local Government Act, 1906, applies to all shires and municipalities throughout the State outside the capital city, Sydney. Sydney has a separate constitution of its own, under which its rates are all levied on the annual rental values. A Bill has been prepared having for its object the unification of the City of Sydney and the congeries of some 40 odd suburban municipalities by which it is surrounded. These suburbs are really part and parcel of our great metropolis, which has, as years have gone by, spread in ever-widening circles over the country surrounding the original seaport city which was incorporated as the Municipality of Sydney. As the suburbs grew and became desirous of participating in the benefits of a system of local self-government, they were, instead of being added to and incorporated with the municipal body of Sydney, erected each into a separate municipal body of its own. All these surburban municipalities are now under the operation of the Local Government Act; and the anomaly remains of a whole State in which the principle of local taxation being levied on land values is in operation, while in the capital city of the State the basis of taxation is still the rental value. If the Greater Sydney Bill become law there will be held a Convention, or a series of Conventions, in which representatives of the city and of the surrounding municipalities will confer as to the best method of union; and if such conventions arrive at a satisfactory solution of the questions involved, the Governor will have power to consummate the union, and thereupon the present constitution of the City Council will be dissolved, the Local Government Act, 1906, will be applied to the united city, and the principle of taxation on land values for Local Government purposes will be operative throughout the whole of the State.

(7.) It is to be noted, for the information of the Imperial Government, however, that the Local Government Act itself does not imperatively compel the adoption of the unimproved capital value alone as the basis of all municipal taxes. Rather it may be said, with certain reservations, to confer the rights of local option as to the basis of taxation. Thus:—

- (*a*) Shire general rates must be only on the unimproved capital value of land.
- (*b*) Municipal general rates must be only on the unimproved capital value of land.
- (*c*) Municipal additional general rates may be either on the unimproved capital value or on the improved capital value at the option of the Council subject to the right of the ratepayers to demand a poll of ratepayers on the question.
- (*d*) Both Shire and municipal special, local or loan rates may be either on the unimproved or improved capital value subject to the right to demand a poll as above.

(8.) There still exists a body performing Local Government functions which levies and will continue for the present to levy rates on the rental value. This is the Metropolitan Board of Water Supply and Sewerage, which controls the great system of water supplies and sewers throughout the city and suburbs (the same territory as is governed by the City Council and the 40 odd suburban Councils). If, however, the experience gained by the city and suburban Councils of the taxation of land values is such as to justify the changing of the rating basis of this Board, no doubt action with that end in view will follow. Indeed, it is to be noted that, if the proposals for the unification of the city and suburbs arrive at fruition, the Cities Extension Bill provides means whereby the Metropolitan Board of Water Supply and Sewerage may be dissolved and its powers and duties transferred to the Greater Sydney Council; and in connection with such a change it is highly probable that the change of the basis of rating would also be made, so that there would be but one basis of taxation for all metropolitan rating purposes.

(9.) The observations in the preceding paragraph apply also to the City of Newcastle with its surrounding suburbs (each a separate municipality), and the Hunter District Water Supply and Sewerage Board, which controls the water supply and sewerage of the Newcastle district. The Cities Extension Bill contemplates the formation of a Greater Newcastle on the same lines as a Greater Sydney; and Greater Newcastle, if constituted, would probably be empowered to take over the work of the Hunter District Board, whereupon the basis of rating would probably be altered to agree with that of the Local Government Act.

(10.) For the information of the Imperial Government I attach hereto copies of—

- (i) The Local Government (Shires) Act, 1905.*
- (ii) The Local Government Extension Act, 1906.*
- (iii) The Local Government Act, 1906.*
- (iv) The Interim Report of the Local Government Areas Commission, 1905 (in which will be found an attempt to forecast the effect on the finances of the Shires and of the State Government, of the passing of the Local Government (Shires) Act 1905).
- (v) The Report of the Local Government Areas Commission, 1905, on their work in dividing the State into shires (1905).*
- (vi) The Report of the Officer-in-Charge, Local Government, on the Probable Financial Effect of the Local Government Extension Bill (1906).
- (vii) The Report of the Officer-in-Charge, Local Government, on certain amendments respecting the Basis of Rating and Limit of Rates proposed to be made by the Legislative Council in the Local Government Extension Bill (1906).

From these documents a good general idea may be obtained of the probable finances of the Local Governing areas under the new legislation; but at present it is not possible to say what the actual effect has been either on local government finance, on State finance, on land values, or on industry.

J. Garlick,
Officer-in-Charge,
Local Government.

Colonial Office,
London.

Local Government Areas Commission.

Interim Report.

To His Excellency the Honourable Sir Frederick Matthew Darley, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

May it please Your Excellency,—

1. We, your Commissioners, appointed on the 7th day of January last, "to divide such parts of the State of New South Wales as are not within the boundaries of the City of Sydney, or of any municipality incorporated under the Municipalities Act, 1897, nor within the Western Division as defined by the Western Lands Act, 1901, into Local Government Areas, to be called Shires," have the honour, in deference to the wishes of the Honourable the Premier and Colonial Treasurer, to submit to you the following interim report:—

2. On the 15th of February, your Commissioners completed their *preliminary* division of the State, in accordance with the directions contained in their Commission; but the work of preparing maps and technical descriptions, which was at once taken in hand, was not finished until the 24th March. On that date, the necessary "Gazette" notification of the proposed boundaries of the Shires was published, and the maps were exhibited throughout the areas affected, a period of sixty days being allowed, in accordance with the terms of the Commission, for any persons who might be dissatisfied with such proposed boundaries to lodge objections thereto. This period expired on the 23rd of May, and your Commissioners are now engaged in considering the objections received.

3. In the meantime, a detailed investigation has been made by Mr. R. E. Jones, Assistant Engineer, Roads Branch, Department of Public Works, into the probable financial effect of the introduction of Local Government, based on three factors, viz.: (i) the Preliminary Division of the Eastern and Central Divisions into 131 Shires (with an alteration subsequently determined on, making the number of Shires 132); (ii) the proposed Shires Bill; and (iii) the financial year 1904-5. The investigation, therefore, is designed to show what would have been the effect on the finances of (*a*) the Shires, and (*b*) the State Government, if the Shires Bill,

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* Not reprinted.

which, we understand, provides for endowment, during the first three years, at such a rate that no Shire need levy a higher general rate than 1d. in the £ on the unimproved value of all rateable land, had been in operation, in the 132 proposed Shires, during the financial year 1904-5. This is shown in the accompanying statements,* which comprise:—

Return A.—A statement showing the probable revenue and expenditure of the Shires individually, including—

- (*a*) Probable unimproved value of land in Shires, as compiled from information supplied by the Taxation Department;
- (*b*) Cost of roads, bridges, ferries, public watering-places, wharves, &c., &c. (except National Works), in the Shires, based on the votes of the Public Works Department for the year 1904-5;
- (*c*) Estimated subsidy to be paid by the Government;
- (*d*) Amount to be raised by the Shires as general rates;
- (*e*) The rate per £ (on the unimproved value) of the general rate in each Shire.

Return B.—A statement showing probable financial position of the Shires collectively.

Return C.—A statement showing probable effect on the finances of the Government, *i.e.*, the estimated expenditure, set side by side with the actual votes (in respect of the Public Works Department) for 1904-5.

Return D.—A schedule of works which would probably be regarded as National on the introduction of Local Government, and would therefore be maintained by the State instead of by local bodies.

4. In order to present clearly what these returns convey, and to afford supplementary information which will assist towards a thorough understanding of the effect of local Government under the Bill contemplated by the Government, the following paragraphs have been prepared, dealing with:—

- I. (*a*) Works handed over to Shires—
  - (i) Roads.
  - (ii) Bridges.
  - (iii) Punts and ferries.
  - (iv) Wharves and jetties.
  - (v) Public watering-places.
  - (vi) State assets handed over to Shires.
  - (vii) Revenue-producing works.
- (*b*) Works retained by the State—"National Works"—
  - (i) Bridges.
  - (ii) Wharves and jetties.
- II. Financial position of Shires—
  - (i) Expenditure on works—Cost of administration.
  - (ii) The unimproved capital value of rateable land in the Shires.
  - (iii) Rates and endowment.
  - (iv) Average rate on unimproved value.
  - (v) The aggregate expenditure of the Shires.
  - (vi) The revenues of the Shires.
  - (vii) The return of the land tax.
  - (viii) The rating of Crown lands.
- III. Effect on the finances of the State—
  - (*a*) *Debits:*—
    - (i) Government contributions to the revenues of the Shires.
    - (ii) Government expenditure on local works—
      - National works in Shires.
      - Works in Municipalities.
      - Works in Western Divisions.
    - (iii) Other public works not included in scheme of Shire Government.
    - (iv) Cost of Local Government Branch of Public Works Department.
    - (v) Subsidy to two proposed new municipalities.
    - (vi) Allowances to officers dispensed with.
    - (vii) Total debits.

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* Not reprinted.

(*b*) *Credits*:—
- (i) Revenue received from local works.
- (ii) Saving in Land Tax Department.
- (iii) Minor savings in various Departments.
- (iv) Present expenditure of Public Works Department, as per votes of 1904-5.
- (v) Total credits.

(*c*) Saving to the State by the adoption of the Shires Bill.

I.—(*a*) WORKS HANDED OVER TO SHIRES.

5. It will be noticed that the works to be handed over to the Shires comprise roads and bridges, punts and ferries, and public watering-places; but that certain wharves and bridges have been excluded and classed as national works.

(*i*) *Roads.*

6. Without exception all roads within Shires are to be handed over to the Councils. Their maintenance will not present any great engineering difficulties for the Shires to overcome, and, in an emergency, the Shires will be able to obtain advice from the Inspecting Engineers on the staff of the proposed Local Government Commissioners. These roads are, in the aggregate, 28,500 miles in length, and cost the State £9,870,000 to construct.

7. Some of the municipal bodies appear to think that the roads near towns will be neglected; but the Commissioners have, under the Bill, ample power of supervision over this and similar matters. In any case, this anxiety would not appear to be well-founded, for the inhabitants of the Shires must recognise the importance to themselves of maintaining in good order the avenues of traffic to their market towns and railway centres; and, therefore, will not be likely to let them fall into disrepair.

8. When the new system comes into operation it will probably be necessary for the Governor, on the recommendation of the Commissioners, to make special regulations regarding the maintenance of through lines of road connecting the coast with the table-lands. The central lengths of these roads pass through sparsely-settled country, which is of low value, and will not produce a sufficient revenue from rates to pay for the upkeep of these parts of the roads; and these lengths, being connecting links, must not be neglected.

9. Many years ago the trunk lines of road throughout the State were gazetted as "Main Roads," by virtue of which they are maintained at the cost of the State generally, whether they run through municipalities or through the areas not yet incorporated. By the construction of railways, of other roads, by the diversion of trade, or by the operation of other factors of change, however, the traffic on these roads has, in many cases, fallen off considerably, and they now serve merely local interests. It is not proposed, therefore, to treat them as National Works (which would involve the upkeep of a large portion of the present Roads Department), but, where they are within Shire boundaries, to hand them over to the Shires.

10. Until a new Act dealing with municipalities is passed it will probably be necessary for the State to continue to maintain these "Main Roads," where they are *within municipalities*, as at present, although it seems inconsistent to do so after the Shires have taken up the duty of caring for the portions which are outside the municipalities. The land within municipalities will, however, continue subject to land tax until the proposed Local Government Bill becomes law; while the Shires will be relieved from payment of land tax immediately upon taking up the duties of self-government. The amount at present expended by the State within municipalities on roads, bridges, wharves, and ferries is £65,079 per annum.

(*ii*) *Bridges.*

11. In addition to 28,500 miles of roads, there will be handed over to the Shires 3,076 bridges, of an aggregate length of 208,049 feet, the construction of which has cost the State the sum of £1,082,603.

(iii) *Punts and Ferries.*

12. The value of the ninety-two punts and ferries (some operated by steam power), with boats, &c., which will be transferred to the Shires, is £31,840.

(iv) *Wharves and Jetties.*

13. The 144 wharves and jetties to be transferred to the Shires cost about £37,450; and although at present little direct revenue is obtained from them, it seems probable that, under local control, the cost of repairs and renewals will be minimised.

(v) *Public Watering-places.*

14. The public watering-places which will be handed over to the Councils include:—

24 flowing and pumping bores, which cost	£100,337
146 tanks, 50 wells, 30 dams, and improvements to springs, which cost	214,674
Making a total of	£315,011

15. Another State asset transferred is the land occupied by and set apart as public watering-places—about 99,000 acres of generally well-improved land, much of it fenced, and part of it cleared—which might be roughly valued at £159,000.

(vi) *State Assets handed over to Shires.*

16. The assets which the State will thus hand over to the Shires are, therefore:—

Roads	costing	£9,870,000
Bridges	„	1,082,603
Punts and ferries	„	31,840
Wharves and jetties	„	37,450
Public watering-places	„	315,011
Public watering-places, land valued at ...	„	159,000

making a total of £11,495,904 worth of useful works to be handed over to be controlled by the Shires.

(vii) *Revenue to be handed over to the Shires with certain works.*

17. Some of the works to be handed over are revenue-producing. Thus the punts and ferries produce £3,669 per annum, and the public watering-places, &c., &c., produce £3,894 per annum, making a total of £7,563 which will be collected by the Shire Councils and applied by them for the benefit of the locality.

I.—(*b*) WORKS (BEING NATIONAL WORKS) WHICH WILL NOT BE HANDED OVER TO THE SHIRES.

(i) *Bridges.*

18. In addition to the pecuniary help, in the shape of subsidy, land tax, &c., given by the State to the Shires, it is probable that, under the provisions of the proposed Shires Bill as to national works, the State will continue to bear the cost of maintenance and renewal of no fewer than 168 bridges, situated either wholly or partly in the Shires, the building of which has cost the State a capital sum of £1,086,040, as shown on Statement D* attached.

19. Though these structures are perhaps in many cases of more benefit to the local people than to the State at large, yet, from the nature of their construction and costliness, their maintenance and renewal might unduly strain the finances of the Shires, whilst it is almost certain that, if handed over to the Shires and by them allowed to fall to ruin, these bridges would have to be renewed or rebuilt at the expense of the State. It is therefore thought wiser to treat these important structures as "National Works" under the provisions of the Bill, and to include an estimate of the cost of their maintenance and renewal in Statement C.*

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* Not reprinted.

(ii) *Wharves and Jetties.*

20. For similar reasons a number of important wharves and jetties (Statement D*), such as those at Byron Bay, Woolgoolga, and Coff's Harbour, have been classed as national works, and provision made in the estimate (Statement C*) for the State to maintain and renew them.

II.—FINANCIAL POSITION OF THE SHIRES.

(i) *Expenditure on Works.—Cost of Administration.*

21. The cost of maintaining and renewing the £11,495,904 worth of works which the Shires will take over is for the year 1904-5, £346,731. Of this amount £7,563 will be derived from tolls on punts, ferries, public watering-places, &c., leaving a net expenditure on works of £339,168. To this will need to be added the cost of administration (office rent, salaries, &c. &c.).

22. In arriving at the probable cost of administration, the basis adopted was 10 per cent. on the expenditure for works, &c.; but in no case has a lower sum than £300 been set down. The aggregate cost of administration for the 132 Shires, thus estimated, is £44,340, equal to 13 per cent. on the cost of works.

23. Adding the estimated cost of administration, £44,340, to the net cost of the works, £339,168, it is found that the total expenditure to be provided for by rates and Government endowment amounts to £383,508. The details of these estimates are shown on Return A*.

(ii) *The Unimproved Capital Value of Rateable Land in the Shires.*

24. In order that an estimate could be made of the value of the land in the Shires, and that an idea could thereby be obtained of the probable financial position of each Shire individually, the Land Tax Department was asked to furnish a Return showing the unimproved value of the unincorporated land in private possession in each Parish in the Eastern and Central Divisions. This they very courteously did; and on the information so obtained a close approximation to the value of such land in each Shire has been arrived at.

25. The aggregate unimproved capital value of the *privately owned* lands in the 132 Shires is £67,131,466. The lowest value for a single Shire is £112,704, and the highest is £1,147,069; while there are—

10 Shires in which the value of the land is below £200,000.
23 ,, ,, ,, ,, ,, between £200,000 and £300,000.
24 ,, ,, ,, ,, ,, ,, 300,000 ,, 400,000.
20 ,, ,, ,, ,, ,, ,, 400,000 ,, 500,000.
15 ,, ,, ,, ,, ,, ,, 500,000 ,, 600,000.
8 ,, ,, ,, ,, ,, ,, 600,000 ,, 700,000.
11 ,, ,, ,, ,, ,, ,, 700,000 ,, 800,000.
4 ,, ,, ,, ,, ,, ,, 800,000 ,, 900,000.
10 ,, ,, ,, ,, ,, ,, 900,000 ,, 1,000,000.
7 ,, ,, ,, ,, ,, over £1,000,000.

(iii) *Rates and Endowment.*

26. Even if the Shires received no endowment from the Government, but had to raise the whole of their expenditure, viz., £383,508, by local taxation, the average rate on the unimproved value, £67,131,466, would be only 1·37d. in the £.

27. Under the provisions of the Shires Bill, however, it is now understood that the Shire Revenues are, for the first three years, to be supplemented with an endowment on such a scale that no Shire will need, during that period, to levy a rate higher than 1d. in the £ on the unimproved capital value of the rateable land in its area; and in calculating the probable rates in the various Shires, as shown in Return A*, this has been borne in mind.

28. The calculations thus made show that there are 42 Shires which can pay their way on a rate of *less* than the present land tax (viz., 1d. in the £). Indeed, if the latter rate were levied in these Shires, it would produce £62,886 more than the amount they require for the upkeep of their roads and other works on the present scale of expenditure, plus the cost of administration.

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* Not reprinted.

29. In the remaining ninety Shires, however, it will be necessary for the Councils to levy a rate of 1d. in the £, and for the Government to grant endowment at varying rates in order to provide for expenditure on roads and bridges and other works on the scale of the Votes for 1904-5—a scale which may be considered sufficient for necessary works and maintenance, with a reasonable margin for emergencies.

30. By the levying of a General Rate of 1d. in the £ in the ninety Shires referred to, and the raising of the sum required in the forty-two Shires previously mentioned, by a General Rate of less than 1d., the total amount of the General Rates throughout all the Shires will be £216,826, and, as the net cost of works and administration is, as already shown, £383,508, the sum which the Government will provide by way of endowment will be £166,682.

(iv) *Average Rate on Unimproved Value.*

31. The amount to be raised by the Shires being £216,826, and the unimproved capital value of privately-owned lands in the 132 proposed Shires being £67,131,466, the average of the General Rates on this basis would be 0·77 of a penny in the £. As will be referred to in a later paragraph, however, certain Crown lands, valued at £8,392,862, will be rateable under the Shires Bill, so that the total value of *all* rateable land in the Shires will probably be in the neighbourhood of £75,524,328; and, to raise the sum of £216,826 on this, an *average general rate* of 0·69 of a penny in the £ would suffice.

(v) *The Aggregate Expenditure of the Shires.*

32. The cost of maintaining and renewing the main and minor roads in the Shires, as scheduled for 1904-5, will be £276,081; the cost for unclassified roads, £20,970; for repairs and renewals of bridges, with some allowances towards new bridges, £32,090; cost of working, repairs, and renewals of punts and ferries, £9,276; cost of subsidies, repairs, and renewals of public watering-places, £6,499; cost of repairs and renewals to wharves, £1,815. Thus the total cost of works will be £346,731, which, with £44,340 added for cost of administration, is increased to a grand total of £391,071.

(vi) *Revenues of the Shires.*

33. The Shire revenues will consist of tolls on public ferries, &c., rents of public watering-places, the Government endowment, and the rates.

34. From punts and ferries they would have received during 1904-5 the sum of £3,669; from public watering-places, £3,894. The Government subsidy, as has been previously shown, would have been £166,682; leaving £216,826 to be raised by local taxation.

35. By the repeal of the land tax on the inauguration of self-government in the Shires, however, the State will surrender to the ratepayers in the Shires a sum of about £167,000, so that the additional taxation will amount to but £49,826, or 0·16 of a penny in the £ on the unimproved capital value of all rateable land throughout the Shires (viz., £75,524,328).

36. This additional taxation of £49,826 will result from the fact of certain lands, now exempt from Land Tax, being subject to be assessed for general rates under Local Government. These comprise all small parcels of land of an unimproved capital value of less than £240, owned by persons who possess no other land; land to the value of £240 deducted (for Land Tax purposes) from all holdings of which the unimproved capital value exceeds that amount; occupied Crown lands, and other lands exempted from Land Tax at the present time. Obviously, when the land tax for *national purposes* is remitted, and the revenues yielded by local land taxation are used for the purpose of effecting *local improvements*, it would appear to be equitable that all the lands so benefited should be required to contribute their fair share of the necessary local rates.

(vii) *The Return of the Land Tax.*

37. The repeal of the land tax, as has been pointed out, will mean that a sum of (approximately) £167,000, now collected for the purposes of the Central Government, will be available for local purposes, and will go a very long way indeed

towards defraying the cost of Local Government. The Taxation Commissioners were not able, however, to allocate this amount among the proposed Shires, so that your Commissioners have had to fall back on a somewhat arbitrary method of estimating the effect of this remission on the individual Shires. If it may be supposed that the mortgages and other exemptions are fairly evenly distributed among the Shires (which may or may not be the case), then the amount of the tax remitted to a particular Shire might be taken to be in the proportion of its unimproved value to the total unimproved value of all the Shires. By this rough and ready method, it would appear that in seven Shires in the pastoral districts between Moree and Warren the amount of tax remitted exceeds the cost of works by about £1,260; and on the Murray and Murrumbidgee Rivers there are seventeen Shires in which the amount of the tax remitted will be about £36,961, while the cost of the works, &c., is only £26,010, so that there will be a balance in favour of the ratepayers of £10,951. In all of these cases a general rate of *less* than 1d. in the £ on the unimproved value will provide for all requirements, without subsidy.

38. On the other hand, there are sixteen Shires on or near to the North Coast whose works and supervision will cost £75,869, whereas the land tax remitted will be only about £10,852, and a rate of 1d. in the £ would yield only £18,166, so that the State will have to supplement the Shire revenues by way of endowment to the extent of £57,703.

39. The two classes of cases cited illustrate the extremes—the land tax remitted being, in the former class, much more, and, in the latter class, much less, than sufficient for local works. The remainder of the Shires occupy an intermediate position, where the land tax remitted either balances, or more or less nearly approaches, the cost of works, the amount of endowment required being in each case proportioned to the excess of the needs of the area over what would be yielded by a general rate of 1d. in the £.

(*viii*) *The Rating of Crown Lands.*

40. In the foregoing estimates no allowance has been anywhere made (except in pars. 31 and 35), for the fact that occupied Crown lands will be rateable, whether occupied by the Crown for public purposes, or by a tenant, lessee, or licensee, for private purposes. It has not been found possible to obtain detailed information upon which the value of such land in each separate Shire could be ascertained, so that as regards Crown lands occupied by the Crown (for railways, schools, gaols, court-houses, &c.) a mere rough estimate of the unimproved value of the land at £89,502 has been made; and as regards Crown lands occupied for private purposes, the Government Statistician's returns of the rental paid for these lands to the State have been taken as the basis of the estimate. Thus, in 1904, the rental received from Crown lands in the Eastern Division was £149,817; and in the Central Division it was £265,351. By the Shire Bill the capital value of land held under lease or licence from the Crown is defined as twenty times the rental: so that the capital value of such land in the Eastern Division may be taken as £2,996,340, and in the Central Division as £5,307,020, making a total of £8,303,360.

41. As it is not possible, at present, to allocate these lands among the separate Shires, no attempt has been made to trace the extent to which the taxation of such lands will supplement the revenues of the Shires *individually*. A roughly approximate idea of the effect on the finances of the Shires *collectively* may, however, be obtained in the following manner. The cost of works in all the Shires, less tolls, rents, &c., and less the Government endowment, is, as before stated, £246,125. Adding the unimproved value of private lands, £67,131,466, to the value of Crown lands occupied by private persons, £8,303,360, and the value of Crown lands occupied by the Crown, £89,502, the total unimproved value of rateable lands in the Shires is found to be somewhere about £75,524,328, and to raise the necessary £216,826 on this sum would require only an average rate throughout the Shires of 0·69 of a penny, instead of 0·77 of a penny if raised on the private land alone.

42. The rates which the Government will be called upon to pay, as the result of Crown lands occupied by the Crown (for other than charitable purposes) being subject to Shire rates, will be, therefore, on an average, less than 1d. in the £ on the unimproved value. This value is, as previously stated, estimated at £89,502, so that the total amount to be paid will probably not exceed £380.

III.—EFFECT OF SHIRE SYSTEM ON THE FINANCES OF THE STATE.

43. In order to form an estimate of the effect which the introduction of local government in the proposed Shires would have on the general finances of the State, Return C* attached has been prepared in the form of a balance-sheet, in which there appear, on the one side, the cost of the proposed system of local government, plus the cost of the reduced Department of Public Works; and, on the other side, the present cost of the Works Department, plus various items of present expenditure in other Departments which it is considered may be saved as the result of the changed conditions.

44. The following is a concise explanation of this Balance-sheet:—

(a) DEBITS.

(i) *Government Contributions to Revenue of Shires.*

45. As has been already shown, it is estimated that the Government will subsidise the Shires to the extent of £166,682; and, on handing over certain works (ferries, public watering-places, &c.), will relinquish the revenues derived therefrom, viz., £7,563; in addition to which £167,000 of revenue now derived from the land tax will be remitted; and the rates on Crown land occupied by the State will amount to about £380. The Government will therefore contribute a sum amounting in the gross to £341,625.

(ii) *Government Expenditure on Local Works.*

National Works in Shires.

46. The amount of the Government expenditure during 1904-5 on the bridges, wharves, and jetties which, as "National Works," it is not proposed to hand over to the Shire Councils, will be, on 121 bridges wholly within the Shires, and 46 on the Shire boundaries, of an aggregate length of 54,771 feet, £10,653; on 7 wharves and jetties (including those at Byron Bay, Woolgoolga, Coff's Harbour, Eden, &c.), £4,250; or a total of £14,903.

Works in Municipalities.

47. Until the passage of the more comprehensive Local Government Bill giving extended powers to, and repealing the Land Tax in, municipalities, the Government will be expected to continue to carry out or pay for works as at present. This expenditure will include scheduled roads, £29,741; unclassified roads, £10,000; main roads in the proposed new municipalities of Wahroongah and Lindfield, £900; extensions of minor roads into or through municipalities, £5,669; bridges, 52,477 lineal feet, £10,207; wharves, jetties, &c., £2,901; punts and ferries, £5,661; making a total of £65,079.

Works in the Western Division.

48. As the Western Division is not, at present, included in the scheme of Shire Government, the State will continue to carry out works therein as at present, as follow:—Scheduled roads, £6,120; unclassified roads, £750; bridges, 14,791 lineal feet, £2,870; punts and ferries, £305; public watering-places, £8,139; wharves at Bourke, Wilcannia, Wentworth, Balranald, &c., £250; making a total of £18,434.

(iii) *Other Public Works not included in Scheme of Shire Government.*

49. The remaining expenditure of the Public Works Department on works which it is not proposed to hand over to the local governing bodies (such as railway and tramway construction, public buildings, docks, sewerage construction, water conservation, harbour and river works), and on miscellaneous services, salaries, and various other items on the Public Works Department's estimates for 1904-5, amounts to £251,494.

(iv) *Cost of Local Government Branch of Public Works Department.*

50. To administer the scheme of Local Government, the Bill provides for the appointment of three Commissioners, and, in any estimate of the effect of the scheme

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* Not reprinted.

on the finances of the State, it is necessary to take into account the probable expenditure on their office, including the salaries of the Commissioners, Secretary, and staff of Clerks, Inspecting Engineers, and Examiners of Accounts. The sum of £8,100 has been set down to cover this.

(v) *Subsidy to Two new Municipalities.*

51. Another item which must be taken into account is the probable endowment of the two proposed new municipalities of Wahroonga and Lindfield, which, if incorporated under the present Municipalities Act, will be entitled to a subsidy of 20s. in the £ on the General Rate collected. The unimproved capital value of the land in these two areas is £721,080. If the value of the improvements can be estimated at about £881,320, the total *improved* capital value may be taken as £1,602,400. Taking the annual value at five per cent. on the improved capital value, it will be £80,120, and a rate of 6d. in the £ on nine-tenths of this (which, it is considered, will probably be sufficient) will yield about £1,803. The amount of subsidy which the State will contribute will, therefore, be the same, £1,803.

(vi) *Allowances to Officers dispensed with*

52. As a number of public servants will be deprived of office by the transfer of their work to Shire control, and by the lessening of clerical and accountancy work in the Public Works Department head office, a number of them may be dispensed with if their services cannot be utilised elsewhere in the public service, and, of these, some will have claims to allowances under the Superannuation Act. The sum of £9,000 has therefore been set down for the payment of pensions, retiring allowances, &c.

(vii) *Total Debits.*

53. The gross cost to the Government under the new scheme will therefore probably be—

	£
(i) Contributions to Revenue of Shires	341,625
(ii) Government expenditure on local works:—	
National Works in Shires	14,903
Works in Municipalities	65,079
Works in Western Division	18,434
(iii) Other Public Works and salaries not included in scheme of Shire Government	251,494
(iv) Local Government Commissioners' Department ...	8,100
(v) Subsidy to two proposed new Municipalities	1,803
(vi) Allowances to officers dispensed with	9,000
Total cost	£710,438

(b) CREDITS.

(i) *Revenue received from Local Works.*

54. The revenue which it is estimated will be received from ferries wholly and partly within the municipalities is £3,268; from the Victorian Government towards maintenance and renewal of bridges over the Murray River, £307; from public watering-places in the Western Division, £2,401; from wharves, jetties, &c., at Wollongong, Tweed Heads, Port Kembla, &c., £1,000; making a total of £6,976.

(ii) *Saving in Land Tax Department.*

55. In view of the remission of land tax throughout the Shires it will be possible to effect a reduction of the expenditure in connection with the Taxation

Department. As an estimate of what this saving might be, the sum of £13,360 has been set down. This sum has been arrived at by taking 8 per cent. on £167,000, the amount of land tax to be remitted.

(iii) Minor Savings in various Departments.

56. The reduction of the activities and duties of the central Government, necessitating a reduction of the staff of the Public Works Department and of the Taxation Department, will render it possible to effect a saving in the cost of stationery, stores, furniture, &c., estimated at £1,500. A saving will probably be effected also in the Treasury and Audit Departments, due to the same causes, which is estimated at £1,800. These estimated savings amount to an aggregate of £3,300.

(iv) Present Expenditure of Public Works Department.

57. Having included in the Statement of Debits the whole of the estimated cost of the Public Works Department under the new conditions, it is necessary to place on the other side of the balance-sheet the present cost of the Department for "Works" and "Salaries" charged to revenue, viz., £751,978.

(v) Total Credits.

58. Summarising the above-mentioned items, the credit side of the balance-sheet will be as follows:—

	£
(i) Revenue received from Local Works	6,976
(ii) Savings in Land Tax Department	13,360
(iii) Minor savings in various Departments	3,300
(iv) Present expenditure of Public Works Department, as per 1904-5 Votes	751,978
Making a total of	£775,614

(c) Saving to the State by the adoption of the Shires Bill.

59. The difference between the total credits as shown above, £775,614, and the total debits, as shown on a previous page, £710,438, is £65,176, and this is the amount which it is estimated will be saved to the State by the adoption of the system of Local Government for the unincorporated areas of the Eastern and Central Divisions, which is outlined in the Shires Bill, during the period in which the State endows the Shires to an extent which renders unnecessary any higher general rate than 1d. in the £.

60. Your Commissioners desire to fully acknowledge the services rendered to them by Mr. W. H. Hall, the Acting Government Statistician, and by Mr. R. E. Jones, of the Public Works Department, who assisted the Commissioners in the work of preparing the preliminary scheme of division. Mr. Jones also is responsible for the preparation, after careful investigation, of the Returns which accompany this Report. We also desire to recognise, in the fullest manner possible, the assistance rendered by Mr. Garlick, the Secretary to the Commission.

We have, &c.,
H. Curry,
Commissioner.
J. Davis,
Commissioner.

J. Garlick,
Secretary, June 27, 1905.

REPORTS ON THE PROBABLE FINANCIAL EFFECT OF THE LOCAL GOVERNMENT EXTENSION BILL ON MUNICIPALITIES.

I. REPORT BY THE OFFICER-IN-CHARGE, LOCAL GOVERNMENT.

II. REPORT BY ACTING GOVERNMENT STATISTICIAN.

III. REPORT BY THE LOCAL GOVERNMENT ENGINEER.

I.

REPORT BY THE OFFICER-IN-CHARGE, LOCAL GOVERNMENT.

Local Government Office, July 12, 1906.

PROBABLE FINANCIAL EFFECT OF THE LOCAL GOVERNMENT EXTENSION BILL.

1. In view of the preparation of the Local Government Extension Bill, which is designed to supersede the existing Municipalities Act, the Government Statistician was asked to prepare, and has furnished, the returns* enumerated hereunder:—

Return No. 1.—Return showing probable financial position of the municipalities under the Local Government Extension Bill, including, for each municipality—

- (*a*) The unimproved capital value.
- (*b*) The improved capital value.
- (*c*) The rental value.
- (*d*) The estimated expenditure in the municipality for general purposes, comprising—
    - (i) Present general purposes expenditure of the municipality.
    - (ii) Expenditure of Government in the municipality for general purposes, which will, when Bill comes into force, be borne by municipality.
    - (iii) Total of (i) and (ii).
- (*e*) The estimated revenue of the municipality from the following sources:—
    - (i) Estimated endowment under rights conferred by existing Municipalities Act, 1897.
    - (ii) Estimated endowment under Local Government Extension Bill.
    - (iii) Estimated receipts from general rate of 1d. in £ on unimproved capital value (on the imposition of which the present Land Tax is to be suspended).
    - (iv) Total of (i), (ii), and (iii).
- (*f*) Balance remaining to be raised to provide for estimated expenditure for general purposes—deduct (*e*) from (*d*).
- (*g*) Estimated additional general rate which it will be necessary for each Council to levy in order to raise the amount of balance (*f*) by either—
    - (i) Rate on unimproved capital value; or
    - (ii) Rate on improved capital value.
- (*h*) What the general rate would be if total of (*d*), the estimated general purposes expenditure, were raised on present municipal rating system, *i.e.*, on nine-tenths of annual rental value.

Return No. 2.—Return showing the amounts of special rates at present levied in the various municipalities on nine-tenths of annual rental value; and the rates in the £ which it would be necessary to levy on either—(*a*) the unimproved capital value, or (*b*) the improved capital value, in order to raise same amounts.

Return No. 3.—Return showing—

- (*a*) Present Government expenditure in each municipality on works of local character, the responsibility of which will be cast on municipalities by the passage of the Local Government Extension Bill.
- (*b*) Estimated amount at present received by Government from taxation of lands within municipality.

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* Not reprinted.

(*c*) Difference between (*a*) expenditure handed over to municipality, and (*b*) revenue handed over, shown as either—
- (i) Deficit—or amount which will need to be made up either by the grant of an endowment from State funds, or by increase of rates.
- (ii) Surplus—or amount by which rates may be reduced, or taxation decreased.

Return No. 4.—Return showing expenditure of municipalities classified under various headings, from which figures required in part (*d*) of Return No. 1 are taken.

Return No. 5.—Return showing the probable necessity for special endowment.

2. In addition to these, the Government Statistician has furnished further returns,* as hereunder specified:—

Return No. 6.—Return showing, for each municipality, the general rate struck, the amount leviable as general rate, for the year ended February, 1906, and the present general purposes expenditure of the municipality.

Return No. 7.—Return showing the position of the general purposes account of each municipality, whether in debit or credit, in February, 1905.

Return No. 8.—Return showing, for each municipality, the amount in the £ on the rental value which would be equal to 1d. in the £ on the unimproved value.

Return No. 9.—Return showing for each municipality the rate in the £ on rental value which would be necessary if the total estimated expenditure for general purposes (*i.e.*, present expenditure of municipality, *plus* Government expenditure proposed to be handed over—making no allowance for amount of Land Tax remitted, nor for endowment accrued under Municipalities Act, or probable under Local Government Extension Bill), were raised on present system of taxing annual value instead of unimproved capital value.

PURPOSES FOR WHICH THE RETURNS WERE PREPARED.

3. The purposes for which these returns were asked for were—
- (*a*) To be available for publication, if approved, in fulfilment of the promise made by the Premier in the Legislative Assembly on 29th August, 1905, 30th August, 1905, and 20th September, 1905, (*vide* pages 1704, 1778, and 2278 of *Hansard*), when he stated that he would have returns of this nature printed;
- (*b*) To afford information on which it might be ascertained whether it would be possible to insert in the Bill a limit to the rate for general rates in municipalities; and, if so, what that limit should be;
- (*c*) To see whether they would afford an indication of the financial position of the municipalities upon which an estimate of the endowment which will be necessary under the Bill might be arrived at;
- (*d*) To afford proof that the new system will not cause any general or appreciable increase of taxation;
- (*e*) To afford information as to whether the new financial system proposed in the Bill, involving the transfer to the municipalities of local works now maintained by the Government, and the transfer of the local tax (Land Tax) collected by the Government, with an alteration of the basis of rating, would be likely to seriously prejudice the financial stability of any municipality; and
- (*f*) To afford an indication of the effect of the above-mentioned changes on the finances of the State.

QUESTION OF THE PUBLICATION OF THE RETURNS.

4. Attention is drawn to paragraph (*a*) above; and the question whether the returns, or any specified portion of them, shall be printed ready to lay upon the tables of both Houses of Parliament when required is submitted for consideration.

THE ESTIMATED EXPENDITURE OF THE MUNICIPALITIES.

5. Before proceeding to the consideration of the questions with a view to elucidate which the returns were compiled, it is necessary that an explanation be

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* Not reprinted.

afforded of the basis upon which the estimated "Expenditure of the Municipalities for General Purposes" was prepared. This estimate is the sum of three constituents, viz.:—

(*a*) The present expenditure of the municipalities for general purposes.
(*b*) Government grants to municipalities.
(*c*) The expenditure in municipalities on local works at present maintained by the State Government, the responsibility for which will, under the new scheme, be transferred to the municipalities.

6. With respect to the first of these, (*a*), the present Municipal Expenditure for General Purposes, the figures were taken from the latest available returns, viz., those for the period ended February, 1905. To these figures certain corrections have been applied. Thus, when any object of expenditure is also a source of revenue, as, for instance, in the case of a town hall, the total expenditure for general purposes, which includes the expenditure upon that object, is reduced by the amount of the revenue derived therefrom. There are other respects, however, in which, owing to the imperfect information at present supplied by the councils, and to the varying methods of book-keeping adopted in the different municipalities, adjustments which are equally necessary cannot be made. Thus, in some municipalities a "Plant" Account is kept, to which is debited all expenditure for machinery and other plant, which should be charged against the particular service for which it was obtained, such as the Water Supply Account, or the Lighting Account, for which special rates are levied. Yet, as details of what these charges for "Plant" consist of are not available, they must perforce be included here in "General Purposes Expenditure." Other accounts which are sometimes similarly overloaded are the "Salaries Account" and the "Miscellaneous Account," and, in all cases where the details are not available, the Government Statistician has had to include the whole of the expenditure under these heads as "General Purposes Expenditure."

7. With regard to item (*b*), Government Grants to Municipalities, the expenditure which was taken was that for the twelve months' period ended February, 1905. The works for the carrying out of which, in the past, the councils have obtained grants of money from the State Government, have been considered as to be paid for in the future from municipal funds, and have been included in the estimated municipal expenditure. Discrimination has, however, been exercised, and only such grants as were required for the maintenance of roads or other works, or for expenditure of a recurrent character, were included, while grants for special purposes of a non-recurrent character were excluded. Thus, a grant for the erection of a band-stand in the local park would be excluded. Grants for special deviations of certain roads, for the reduction of grades on certain roads, or for the construction of a new road, are also omitted, as such works, once constructed, are there for all time, and require only good maintenance.

8. Respecting item (*c*), Expenditure by the Government which will be transferred to the Municipalities, the sum set down in each case is not that of any particular period, but a careful estimate prepared by the Local Government Engineer (Mr. R. E. Jones, M. Inst. C.E.), based upon the experience of the Department for past years. The expenditure of the Department for any one year consists of (i) cost of maintenance of all works; (ii) cost of renewal of some works. (i) The cost of maintenance of works varies from year to year, according as the seasons are wet or dry, and according to other causes of variation. A fair average estimate of the cost of maintaining the works now maintained by the Government, but to be handed over to the municipal councils, was therefore allowed, rather than the actual expenditure of a particular year. (ii) The cost of renewal of works must vary from year to year, according to the number whose life expires in each year. Thus, some bridges have a life of twenty years, others less, others more; some require redecking every ten years, others more frequently, others less. Similarly with culverts and other works. In preparing the estimate of expenditure, therefore, the Local Government Engineer took into consideration the age and history of each work of any appreciable magnitude or cost, and made a fair estimate of the average annual cost of maintenance and renewal.

9. It is submitted, therefore, that the estimate of the probable municipal expenditure under the new conditions, prepared in the manner thus explained, makes full provision on a fair basis for the expenditure which will be necessary upon existing works, which are under the control of the municipalities, and upon

those which are to be transferred to their control. If new works are desired, or expenditure upon a greater scale than in the past, the assumption is that they will be provided for by an increase of rates upon the local properties, whose values will be enhanced by the expenditure, instead of by special grant from Government funds, in providing for which people at a distance who will reap none of the benefits are taxed, as well as the residents of the municipality. When the funds for all such new expenditure are provided for by an increase of local taxation, proposals to enter upon such expenditure will probably arouse a keener interest in the ratepayers than has sometimes been evinced in the past.

QUESTION WHETHER A LIMIT OF RATE CAN BE IMPOSED ON GENERAL RATES IN MUNICIPALITIES.

10. To ascertain the general rate which may be required in each municipality to provide for the probable expenditure on existing works, estimated as explained in the preceding paragraphs, it is necessary to add 1d.—the rate in the £ of the present Land Tax—to the rates given in the twelfth column of Return 1. The information thus obtained may be summarised as follows, with regard to the 191 municipalities in existence in February, 1905:—

Rate on Unimproved Capital Value at—	Is necessary in—			
	Metropolitan Suburbs in the following number of Municipalities.	Newcastle and Suburbs in following number of Municipalities.	Rest of Country in following number of Municipalities.	Whole State in following number of Municipalities.
1d. in £	—	—	2	2
Over 1d., but under 2d. ...	9	1	22	32
2d. to 3d.	21	3	47	71
3d. to 4d.	8	2	28	38
4d. to 5d.	1	2	18	21
5d. to 6d.	1	3	11	15
6d. to 7d.	—	—	5	5
7d. to 8d.	—	—	2	2
8d. to 9d.	—	1	2	3
9d. to 10d.	—	—	—	—
10d. to 11d.	—	—	—	—
11d. to 12d.	—	—	1	1
12d. to 13d.	—	—	1	1
Totals	40	12	139	191

11. Thus it would appear that, while a limit of 4d. in the £ on the unimproved capital value would suit, perhaps, thirty-eight of the metropolitan municipalities, there are two of these municipalities for which such a limit would be insufficient; that, to provide for the necessities of the majority of the Newcastle and suburbs municipalities, the limit would need to be 6d. in the £, and even then there would be one municipality in that group unprovided for; while a limit of 6d. in the £ would leave eleven of the country municipalities in a position in which they could not meet their present necessities. Further, though two municipalities, viz., Gulgong and South Shoalhaven, are in the pleasant position that a rate equal to the present Land Tax is all they will probably need to levy, there are others which will need general rates of 9d., 12d., and 13d. To admit of every existing municipality being able to finance itself on present conditions, therefore, the limit, if one be fixed at all, will need to be 13d. in the £.

12. It is to be remembered, further, that the expenditure upon which the above figures are based may be said to be the present average expenditure in the municipal areas; and that in it allowance has not been made for the reasonable margin of increase which is really necessary to provide elasticity, nor for the increase of expenditure which a number of the existing councils would probably be authorised by the ratepayers to undertake if they had, at the present time, power to levy a higher rate than 1s. in the £ on nine-tenths of the rental value. That such an increase may occur is shown by the fact that municipal councils have approached the Public Works Department for grants of money to carry out road or other works, and that, when it has been pointed out to them that the

works mentioned are of a municipal character, being for the benefit of the local people rather than of the State at large, and that they should therefore be paid for from municipal funds, the reply has been that, while recognising the truth of this proposition, the councils have no funds, that they have levied the highest rate allowed by the existing law, and that if they had power to levy a higher rate they would do so, and thus raise the money for local improvements for which they are, in present circumstances, compelled to ask the Government.

13. That the limit of rating which is provided in the existing Municipalities Act is too low is shown by the fact that the total amount of general rates leviable in the municipalities for the year under consideration was insufficient, to the extent of £50,677, to meet the actual expenditure incurred in the same period for general purposes (*vide* Local Government Engineer's report herewith), and, if further proof be needed, it may be found in the fact that (*vide* Return No. 7), in no less than 77 out of 191 municipalities, the General Purposes Account was, in February, 1905, in debit (in some cases to a very large sum), thus indicating that the receipts from general rates had been much less than the expenditure which the councils found to be necessary for general purposes—so necessary, in fact, that they ran into debt, by overdraft, to meet it.

14. In view of all these considerations it would seem that, in omitting a limit of rate from Clause 51 of the Local Government Extension Bill, the correct course has been followed. The arguments which could be brought against the absence of a limit would apply equally well to whatever limit might be chosen, except one so low as to demonstrate its own absurdity by financially strangling the majority of the municipalities. Thus, if the limit were fixed at 13d. in the £, that limit, while reasonable for two of the municipalities, would leave the other 189 such a margin of rating power as to be practically unlimited. If the maximum were fixed at 6d. it would put 12 municipalities in an impossible position, would apply with varying degrees of suitability to 75, and would leave the remaining 105 a margin of rating power which would for all practical purposes be equivalent to the absence of restraint. Rather, it would seem better to depend upon the electors of the municipalities to watch their own interests and to vote into power aldermen who will, while caring fully for local needs, keep a careful control upon the expenditure and levy only such rates as are really necessary. The knowledge which the aldermen will have that they must face the electors on the one day, and the shortening of the tenure of office from three to two years, will act as a salutary check upon councils which might otherwise be prone to unnecessarily increase expenditure.

PROBABLE AMOUNT NECESSARY FOR THE ENDOWMENT OF MUNICIPALITIES.

15. The provisions of the Local Government Extension Bill as to endowment deal with two classes of municipalities. Those whose fifteen years' statutory rights to endowment under the existing Municipalities Act have not run out are to continue entitled to endowment as though that Act were not repealed (*vide* Clause 18 (1), Local Government Extension Bill). The amount of endowment required to pay claims for the forthcoming financial year will be included in the Treasury estimates; and will, I am informed, be about £6,500.

16. With respect to municipalities whose endowment rights under the Municipalities Act, 1897, have expired, and to municipalities which shall be incorporated after the passage of the Local Government Extension Bill, Clause 18 (3) of the Bill provides that they may be granted "an endowment based upon the results of an investigation which the Governor may cause to be made into their financial necessities, but not exceeding 3s. 4d. in the £ on the receipts from the general rate . . . . . Provided that no endowment shall be paid in cases where the revenues of the councils . . . . are sufficient, in the opinion of the Minister, to meet the reasonable requirements, under proper management, of such municipalities."

17. Until the Local Government Engineer has made an inspection of each municipality, and until each council has furnished information which the Department will not be in a position to obtain until after the Bill has been passed into law, it will not be possible to say what are the "reasonable requirements under proper management" of the various municipalities. For present purposes, however, it may perhaps be taken that the estimated probable expenditure of municipalities shown in Return No. 1, and prepared in the manner previously explained herein, is a fair monetary estimate of the "reasonable requirements" of the municipalities;

and also, for present purposes only, it may be assumed that all the municipalities are properly managed.

18. The expenditure thus taken to be that which will meet the reasonable requirements of the municipalities consists of (a) money derived from municipal rates, and (b) money derived from State Government funds. The responsibility for the latter class of expenditure is to be transferred from the State to the Municipalities; and, unless there were a corresponding transfer of revenue, it might be argued that the additional responsibility would plunge the municipalities into such "financial necessity" as to entitle them to endowment. The Acting Government Statistician was therefore instructed to take it as a working hypothesis that where the expenditure to be transferred to a municipality will exceed the Land Tax to be remitted therein, the difference will be made up by way of endowment. Return No. 5, prepared on this basis, shows that there are sixty-five municipalities which will come within this class.

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*Summary.**

Municipality.	Estimated necessity for Expenditure transferred from Government.	Estimated Remission of Land Tax.	Estimated Endowment under L.G.E. Bill (not exceeding 3*s.* 4*d.* in £).	Amount not Provided for by Proposed Endowment.	Rate of Endowment required to provide for full Amount of Difference between Expenditure and Revenue transferred.
	£	£	£	£	
Metropolitan Suburbs	4,603	3,619	943	41	....
Newcastle Suburbs	591	312	279	....	....
Country	17,144	9,764	4,739	2,641	....
Total	22,338	13,695	5,961	2,682	....

* The detailed tables have been omitted.

19. A perusal of this table will show that there are fifteen municipalities in which, supposing the principle enunciated in the preceding paragraph to be approved, the maximum rate of endowment now in the Bill, viz., 3s. 4d. in the £ on general rate receipts, will not provide sufficient to cover the difference between transferred expenditure and transferred Land Tax. To enable a sufficient amount to be granted in each case the maximum would need to be raised to 13s. 7d. in the £ on the general rate receipts.

20. There is, however, another small group of cases which should be brought under notice for consideration. Under Clause 18 as it now stands a municipality whose subsidy rights under the existing Municipalities Act have not expired will have those rights continued unimpaired, but will not have the right to any further endowment under the Local Government Extension Bill, even though the transferred expenditure may be greater than the transferred revenue. Such cases are tabulated hereunder:—

Municipality.	Estimated Endowment under rights conferred by existing Municipalities Act.	Estimated necessity for expenditure transferred from Government to Municipality.	Estimated Remission of Land Tax.	Amount of deficiency not otherwise provided for.	Rate of Additional Endowment which would be necessary to provide for deficiency.
	£	£	£	£	
Castlereagh	44	185	103	82	9/1
Corowa	807	331	238	93	2/4
Dungog	80	106	90	16	-/6
Murwillumbah	532	153	75	78	2/10
Peak Hill	31	36	19	17	2/0
Warialda	101	78	47	31	1/6
Warran	78	261	98	163	10/5
Wyalong	169	77	67	10	-/4
Total	1,842	1,227	737	490	

21. If provision were to be made for further endowment in such cases, the rate of the endowment in the £ of the general rate receipts which would be required would be:—

Castlereagh	9/1	in the £.
Corowa	2/4	,,
Dungog	-/6	,,
Murwillumbah	2/10	,,
Peak Hill	2/0	,,
Warialda	1/6	,,
Warren	10/5	,,
Wyalong	-/4	,,

22. Briefly then, if endowment be granted to an extent sufficient to cover the excess of transferred expenditure over transferred revenue, the sum required for this purpose alone may be estimated at £8,643 plus £490, or a total of £9,133.

23. Another question which has been brought forward for consideration is as to whether municipalities to which compulsory additions have been made under the Shires Act should be granted a special subsidy in respect of the areas added. This is dealt with specially on other papers. (*Vide* my report of 4th July, 1906.)

WILL THE NEW SYSTEM INVOLVE AN INCREASE OF LOCAL TAXATION?

24. In any discussion of a new basis of municipal taxation, one of the first and one of the most important questions raised is as to whether it will, of necessity, involve the levying of additional taxation. In the following paragraphs this question is investigated.

25. At the outset it should be stated that, in one respect, an increase of taxation would at first sight appear to be unavoidable. In the levying of the present Land Tax, the first £240 worth of unimproved land value possessed by each landholder is exempted from taxation. In the Shires Act already passed, Parliament has approved of the principle that, when the Land Tax is suspended and the local government rates are levied on unimproved capital value, this exemption shall not be allowed; and this principle is embodied in the Local Government Extension Bill to apply to municipal rates. To this extent, therefore, there will be an apparent increase of taxation; but only apparent, for the amount (as a total) which must be provided for by general rates under the new system, is merely the same amount as is now expended in the municipal areas. The mere fact that the *basis* of rating is altered does not, of itself, involve an increase in the total amount levied.

26. In a number (118) of municipalities it will be possible for the taxation to be definitely reduced, or, if not reduced, for a larger expenditure to be incurred for municipal purposes while maintaining taxation at its present level. That this is so will be rendered clear by a perusal of Return No. 5, which shows that, in a number of cases, the Government expenditure to be transferred to the municipalities is less than the Land Tax to be remitted. If, therefore, the Council of a municipality levies only such a rate as will yield a revenue equivalent to the present municipal expenditure in the area plus the transferred expenditure, the total amount of taxation in the municipality will be less than at present. The following table, extracted from the Acting Government Statistician's return above cited, will show the extent of the possible reduction of taxation in each such case:—

* * * * * * *

*Summary.**

Municipality.	Transferred Expenditure.	Land Tax remitted.	Possible Reduction of Taxation, viz., Excess of Land Tax remitted over Expenditure transferred.
	£	£	£
Metropolitan Suburbs	13,071	46,494	33,423
Newcastle and Suburbs	1,336	6,279	4,943
Country	9,594	21,015	11,421
Total	24,001	73,788	49,787

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* The detailed tables have been omitted.

The amount by which it will be possible for taxation to be reduced is, therefore, £49,787.

27. It will be seen that, in the cases of the municipalities of Picton, Deniliquin, Bingara, Hill End, East Maitland, Raymond Terrace, St. Mary's, and Scone, the Land Tax remitted and the expenditure transferred balance each other, either exactly or within £10, so that, while the change of system will not result in reduction of taxation, it need not involve an increase.

28. In paragraphs 18-20, inclusive, of this report, attention is drawn to those cases where the expenditure transferred will exceed the relief from State land taxation which will follow the adoption by municipal councils of the new basis of taxation, and an estimate is there given of the amount which it would be necessary to provide by way of endowment to make up the deficiency in each case. If endowment be not granted as there outlined, it will be necessary for the councils to follow one of two courses, viz.:—(1) To reduce their expenditure to the extent of the deficiency (either by reducing the number and magnitude of road and other works carried out, or by carrying out the works transferred at a less cost than that estimated as a fair allowance); or (ii) to increase their rates to an extent sufficient to yield the additional revenue required. In the latter case there will be increased taxation to the extent of a total amount of £9,133. If the sum be provided by way of endowment, increased taxation need not necessarily be imposed.

29. Though, with expenditure on the present scale, and with endowment as suggested above, the aggregate amount of taxation in any municipality need not be increased, there is no doubt that, in individual cases, municipal taxation will undoubtedly be increased, while in others it will equally certainly be diminished. This will be the result of the change in the incidence of the rates from rental value to unimproved capital value. Taking two actual cases as an illustration, this will be more clearly seen. In a certain municipality there are two allotments of land side by side, one occupied by a small cottage, and the other vacant, but fenced. Both allotments are of 33 feet frontage, assessed for Land Tax at £3 per foot. The vacant allotment is let at 1s. per week as a run for a pony; the cottage for 10s. per week. The following table furnishes a comparison of the present system of rating with that proposed, the existing general rate in the municipality being 1s. in the £ on nine-tenths of the rental value, while the probable general rate under the new system will be 2·57d. in the £ on the unimproved capital value:—

Property.	Nine-tenths of Rental Value.	Rate of 1*s.* in £.	Unimproved Capital Value of Land.	Rates under New System.		
				General Rate of 1*d.* in place of Land Tax.	Additional General Rate of 1·57*d.* in place of present Municipal Rate.	Total.
	£ *s.* *d.*	£ *s.* *d.*	£	*s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Vacant allotment...	2 8 0	0 2 5	99	8 3	0 12 11·43	1 1 2·43
Allotment with cottage.	23 8 0	1 3 5	99	8 3	0 12 11·43	1 1 2·43
Total rates ...	... ...	1 5 10	... ...	16 6	1 5 10·86	2 2 4·86

Under the present system of rating, the owner of the vacant allotment pays 29 pence, and the owner of the occupied allotment pays 281 pence, out of a total rate of 310 pence. Under the proposed system of rating, each will pay 254·43 pence out of a total of 508·86 pence. The following table shows this result in percentages:—

Property.	Of the total taxation under Rental System pays—	Of total taxation under Unimproved Capital Value System will pay—
Vacant allotment	9·35 per cent.	50 per cent.
Occupied „	90·65 „	50 „

The example taken is a simple one, typical of a large number of suburban municipalities; if properties in a busy city block were taken for an example, the result would probably be still more striking. Taking the same municipality, but considering it as a whole, the following interesting tables have been prepared:—

TABLE showing incidence of existing Municipal Rates and of Land Tax in municipality taken as an example.

Property.	Municipal Rate on Rental Value.			Present Land Tax.		Total Rates and Land Tax.	Average percentage.
	Rental Value.	Rate of 1*s.* in £ on nine-tenths of Rental Value.	Percentage of rates leviable.	1*d.* in £ on Unimproved Capital Value, with exemption up to £240.	Percentage of Tax leviable.		
	£	£ *s.* *d.*		£		£ *s.* *d.*	
Unimproved lands	8,907	445 7 0	17·0	455	47·0	900 7 0	25·6
Improved lands ...	46,968	2,113 12 0	83·0	502	53·0	2,615 12 0	74·4
Totals ...	55,875	2,558 19 0	100·0	957	100·0	3,515 19 0	100·0

TABLE showing the expenditure to be provided for in same municipality under new system of rating.

Item.	Present.	To be transferred.	Total.
	£	£	£
Expenditure	3,657	351	4,008
Rates	2,559		
Deficiency	1,098		
Land Tax	... ...	957	3,516
Surplus	... ...	606	
Net deficiency caused, not by excess of transferred expenditure over transferred land-tax, but by excess of present expenditure over present rates.	... ...	... ...	492

TABLE showing the incidence of the probable Municipal Rates on unimproved capital value under the Local Government Extension Bill in same municipality:—

Property.	Unimproved Capital Value.	Rate on Unimproved Capital Value necessary to provide for present municipal expenditure of £3,657.		Rate on Unimproved Capital Value necessary in lieu of Land Tax to provide for transferred expenditure, £351.		Total rate of 2·57d. in £ on Unimproved Capital Value.	
		2·34d. in £.		·23d. in £.			
		Amount.	Percentage.	Amount.	Percentage.	Amount.	Per centage.
	£	£ *s.* *d.*		£		£ *s.* *d.*	
Unimproved lands ...	178,140	1,741 17 3	47	168	47	1,909 17 3	47
Improved lands ...	195,802	1,915 2 9	53	183	53	2,098 2 9	53
Totals ...	373,942	3,657 0 0	100	351	100	4,008 0 0	100

From these tables it will be seen (1) that, under the existing system of rating the rental value, the vacant lands bear only 17 per cent. of the total General rates, while the improved lands bear the remaining 83 per cent.; (2) that, taking the existing Land Tax and general rates together, the vacant lands furnished 25·6 per cent. of the total land taxation, while the improved lands supply 74·4 per cent.; and (3) that under the system proposed, the rates imposed on vacant lands will be increased to 47 per cent. of the total local taxation, and those on the improved lands reduced to 53 per cent. Unless the municipalities decide to increase their expenditure, the total decreases on improved lands will balance the total increases on unimproved lands; and though the aggregate burden will be redistributed so as to fall differently on the shoulders of individuals, any increased taxation which may be imposed on the ratepayers as a whole will not be due to the change in the basis of rating. This redistribution of the burden of taxation is one of the objects aimed at in the introduction of the new basis of taxation, so that the increase of taxation involved in the case of unimproved lands is not a defect in the scheme; and there is no need to pursue the subject further.

30. There is one other probability of increased taxation which should be mentioned. In paragraph 12 of this report attention is drawn to the apparent fact that some municipalities have found that the present limit of rating is so low as not to yield sufficient revenue to enable the Councils to carry out works which are really needed and which the ratepayers are willing to pay for. This statement is supported by the information given in paragraph 13, which shows that the municipalities are spending for General Purposes £50,677 more than the amount of the general rates leviable; and by the opinions of the Acting Statistician (*vide* paragraphs 8, 9, and 10 of his report herewith), who states, *inter alia,* that "the amount leviable as a general rate has been far from adequate to meet requirements," and "if the expenditure of the year adopted has been reasonable, the Councils must face the fact that . . . . the General Purposes rating must be considerably increased to enable them to meet their obligations." The information on which the Acting Government Statistician bases these conclusions will be found in Returns Nos. 6 and 7. Perusal of Return No. 6 will show that in 153 municipalities the amount expended for "General Purposes" exceeded the amount of General Rate levied, and from Return No. 7 it will be seen that, in 77 of these cases, the deficiency thus caused not being made up from other sources of revenue, the General Purposes Accounts show a debit balance. Though the statement cannot be definitely made, it is presumed that the money thus expended in excess of revenue received has been obtained by means of overdrafts on the local banks, and support is lent to this view by the fact that at 6th February, 1905, there were 89 municipalities which had obtained unsecured overdrafts to the extent of £63,072. Such a state of affairs cannot continue indefinitely; sooner or later the liabilities thus incurred must be met, and to provide for them the rates must be increased. Therefore, though, in the returns now presented, the probable general rates shown are those which will be necessary to provide a sum sufficient for present expenditure (instead of merely a sum equal to present rates levied) the increase of rating which the adoption of these rates will involve cannot be attributed to the operation of the Local Government Extension Bill nor to the new system of municipal finance. A large portion of the total deficiency on this account will be provided for by the excess of transferred Land Tax over transferred expenditure, so that the net amount of the increase of general rates will be as indicated in Return No. 11, herewith, prepared by the Local Government Engineer, where it is shown that the amount of Land Tax now collected by the State in the municipalities is £88,220, whereas the amount which the municipalities will need to levy over and above the amount of the present general rates levied is £91,322, the difference being £3,102. Notwithstanding this, however, the effect of the transfer of responsibilities and of taxing power from the State to the municipalities will be that, instead of the State levying a tax of 1d. in the £ on the unimproved capital value of all individual holdings of land exceeding £240 in value, the Councils in the metropolitan suburbs (as a whole) will need to levy an average of only $\frac{1}{2}$d. in the £, without exemptions; and the Councils in the country municipalities (including Newcastle and its suburbs) will need to levy an average of but $\frac{4}{5}$d. in the £, also without exemptions, in addition to the amount now levied as municipal rates.

31. One of the reasons which have operated to cause the deficiencies referred to in the preceding paragraph, and to render necessary higher rates than would otherwise suffice, is to be found in the fact that the great majority of the municipalities either neglect, or are unable, to recover moneys due to them. Thus, while the total general rates leviable in 191 municipalities were £292,486 for the period ended February, 1906, the total amount of general rates collected was £285,633, leaving uncollected a total of £6,853. The sums outstanding in respect of lighting, water, and other rates are not shown separately in the returns. The fact that the aggregate accumulated outstanding rates and charges as at 6th February, 1905,

amounted to £182,355, an amount approaching two-thirds of the year's general rates collections for 1905-6, points distinctly to the inference that in some municipalities overdrafts are rendered necessary by the non-collection of rates struck, and that in those municipalities where the rates collected are sufficient to meet the expenditure incurred, the persons who do pay are rated more heavily than would be necessary if those who do not were compelled to contribute the sums due by them.

EFFECT ON THE FINANCIAL STABILITY OF MUNICIPALITIES.

32. Consideration of the preceding paragraphs will show that the financial stability of a number of municipalities will be prejudiced by the passage of the Local Government Extension Bill if provision be not made whereby endowment can be granted sufficient to cover the excess of transferred expenditure over transferred revenue; while the finances of at least some others will be disorganised if any limit less than 13d. in the £ be put on the general rates. As each of these subjects has been fully treated earlier in this report (*vide* paragraphs 13-20 and 10-14), it is not necessary to say anything further with regard to them here.

33. On the other hand, by the transfer of the land tax the finances of a large number of municipalities will be greatly improved by the passage of the Bill. (*Vide* paragraphs 25-26.)

34. The provisions of the Bill as to recovery of rates, account-keeping, auditing, the levying of loan rates whenever money is borrowed, the provision of sinking funds, and the guaranteeing of municipal loans by the Government, will also result in a distinct improvement of the financial position of all the municipalities.

EFFECT ON THE FINANCES OF THE STATE.

35. From the information furnished by the Acting Government Statistician in the returns referred to herein, and from additional information compiled by himself, the Local Government Engineer has prepared a statement and report (No. 10) forwarded herewith, designed to indicate, as nearly as can be estimated, the probable effect of the Local Government Extension Bill on the finances of the State. Briefly summarising the conclusions therein set out, it may be stated that the expenditure of which it is anticipated the State will be relieved is:—

	£
Annual cost of works, the responsibility for which will be transferred to municipalities	44,241
Grants for parks, &c., anticipated to be discontinued	3,325
Estimated saving in Public Works Department and Taxation Department	10,596
Total decrease in State expenditure	£58,162

Against this there must be set:—

	£
Loss of revenue by discontinuance of collection of Land Tax in municipalities	88,220
Estimated special endowment	9,133
Estimated additional expenditure in Local Government Branch on taking over municipal matters	1,500
Total loss of revenue and increase of expenditure ...	£98,853

The effect on the finances of the State is, therefore, estimated as a net loss of revenue of £40,691.

I have, &c.,
J. GARLICK,
Officer-in-Charge, Local Government.

The Under Secretary,
Public Works Department.

II.

REPORT AND RETURNS FURNISHED BY THE ACTING GOVERNMENT STATISTICIAN.

The probable effect of the Local Government Extension Bill on both municipal and State finances.

1. In the consideration of this question the principles which were laid down in the communications of the 29th January and 10th March, 1906, from the Under-Secretary, Department of Public Works, have been followed. Briefly they are as follows:

Endowment.—The endowment payable under the Bill is assumed to be the difference between the amount of Land Tax remitted and the Governmental expenditure in the municipality, inclusive of grants to the municipality for general purposes.

General Works.—Where the expenditure by a municipality on town hall, park, nuisance prevention, common, public bath, &c., appears at present in the accounts as a charge for general purposes, the excess of expenditure over receipts only is to be charged in estimating the probable general rate required to be levied to cover expenditure.

Salaries and Office Expenses—Plant and Office Furniture—Miscellaneous Expenditure.—All expenditure under these headings is to be treated as expenditure for general purposes, except where the accounts specifically show it to be attached to the lighting or water accounts.

2. The data for the investigation were abstracts of accounts furnished by the municipal councils for the year ended February, 1905, the latest complete year available, and the detailed statement of expenditure by the Department of Public Works during the financial year ended June, 1905, forwarded under cover of the communication of the 26th April, 1906, by the Under-Secretary of that Department. It must, however, be borne in mind that the particulars of the Silverton Municipality relate to the year ended February, 1897, as that body has been defunct since that date.

3. The following returns,* which were asked for by the Advisory Board, are attached:—

No. 1. Financial position of municipalities under Local Government Bill, showing for each municipality:—

- (*a*) The unimproved capital value.
- (*b*) The improved capital value.
- (*c*) The rental value.
- (*d*) The expenditure in the municipality for general purposes, comprising:—
  - (i) Present general purposes expenditure of the municipality.
  - (ii) Expenditure of Government in municipality for general purposes, which will, when Bill comes into force, be borne by municipality.
  - (iii) Total of (i) and (ii).
- (*e*) Revenue of municipality from the following sources:—
  - (i) Endowment under existing Municipalities Act.
  - (ii) Endowment under Local Government Extension Bill.
  - (iii) Receipts from general rate of 1d. in the £ on unimproved capital value, showing total in a fourth column.
- (*f*) Balance remaining to be raised—deduct (*e*) from (*d*).
- (*g*) Additional rate which it will be necessary for each council to levy to raise amount of (*f*) by either.
  - (i) Rate on unimproved capital value.
  - (ii) Rate on improved capital value.
- (*h*) What rate would be if total of (*d*) were raised on present municipal rating system (rate on rental value).

No. 2. Return showing the amount of special rates at present levied on rental value, and rates which it would be necessary to levy on (*a*) unimproved capital value, or (*b*) improved capital value, to raise same amounts.

No. 3. Return showing:—

- (*a*) Present Government expenditure in each municipality on works of local character, the responsibility of which will be cast on municipalities by the passage of the Local Government Extension Bill.

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* Not reprinted.

(*b*) Estimated amount at present received by Government from taxation of lands within municipality.

(*c*) Difference between (*a*) and (*b*) shown as either (i) deficit or (ii) surplus (*i.e.*, decrease of taxation).

No. 4. Return of expenditure of municipalities (under detailed headings) from which figures required in Return 1 above may be taken.

No. 5. Return showing probable effect of Local Government Extension Bill on finances of State.

4. I was also asked to furnish a list of the municipalities which are in necessitous circumstances, together with such information as can be obtained from the returns furnished by those municipalities to me, as may serve to explain the cause of their difficulties. In view of the direction contained in the memorandum covered by your communication of the 29th January last, wherein it is stated that I was to determine the "financial necessity" of the municipalities by ascertaining the amount by which the expenditure transferred by the Public Works Department to the incorporated bodies, together with grants to those bodies, was in excess of the Land Tax remitted, it will be seen on reference to Table No. 3 that no less than seventy-three municipalities are shown to be in such circumstances of "financial necessity." The following are the municipalities in question. In ten cases the amount in excess does not exceed £10.

Name.	Excess of transferred expenditure over relief from Land Tax.	Name.	Excess of transferred expenditure over relief from Land Tax.
	£		£
1. Botany	69	38. Kempsey	113
2. Camperdown ...	534	39. Lismore	28
3. Kogarah	149	40. Liverpool	7
4. Randwick	3	41. Maclean	85
5. Vaucluse	229	42. Molong	56
6. Aberdeen	2	43. Morpeth	209
7. Ballina	220	44. Moruya	363
8. Balranald	3	45. Murrumburrah ...	7
9. Berry	822	46. Mrrurundi	72
10. Blayney	9	47. Murwillumbah ...	78
11. Bourke	325	48. Muswellbrook ...	16
12. Braidwood	87	49. Narrabri, West ...	43
13. Broken Hill	17	50. Adamstown	48
14. Broughton Vale ...	72	51. Lambton	56
15. Burrowa	15	52. Lambton, New ...	46
16. Campbelltown ..	354	53. Plattsburg	129
17. Carcoar	37	54. Nowra	8
18. Casino	201	55. Peak Hill	17
19. Castlereagh	82	56. Port Macquarie ...	53
20. Cooma	122	57. Queanbeyan	40
21. Cootamundra ...	124	58. Rookwood	65
22. Coraki	21	59. Shellharbour ...	33
23. Corowa	93	60. Silverton	22
24. Cowra	114	61. Taree	168
25. Cudal	191	62. Tenterfield	504
26. Cudgegong	855	63. Ulladulla	238
27. Dungog	16	64. Ulmarra	165
28. Gerringong	60	65. Uralla...	2
29. Glen Innes	89	66. Walcha	65
30. Gosford	60	67. Warialda	31
31. Grafton	2	68. Warren	163
32. Grafton, South ...	525	69. Wentworth	15
33. Greta	28	70. Wilcannia	20
34. Gundagai	18	71. Wingham	170
35. Illawarra, North ...	85	72. Wyalong	10
36. Jamberoo	175	73. Yass	125
37. Jerilderie	55		

5. In the computation, an amount of £606 only as expenditure by the Public Works Department has been allowed for in the case of Campbelltown, inasmuch as the present expenditure of £1,646 within the municipality, is due to a vote of £1,200 for the Main South Coast Road, but when the Cataract dam is finished, about two years hence, the vote will be reduced from £1,200 to £160. Meanwhile, special consideration, in the circumstances, will be required to be shown to the Council. No allowance has been made in the case of Camden, as the Council entered into a bond

to maintain the roads, and there is no obligation on the Department to keep them in repair.

6. In estimating the amount of endowment payable under the Local Government Extension Bill for the purposes of Tables Nos. 1 and 5, due regard has been paid to the fact that the endowment is not to exceed 3s. 4d. in the £ on the general rate collected. Furthermore, no endowment under the proposed Bill has been allowed in the case of the municipalities of Castlereagh, Corowa, Dungog, Murwillumbah, Peak Hill, Warialda, Warren, and Wyalong, inasmuch as they are in receipt of endowment under the existing law.

7. The unimproved capital value adopted is that furnished by the Taxation Department, while the improved capital value is that estimated by the council clerks of the municipality, based on the knowledge of local conditions.

8. Table No. 1 shows the municipal expenditure for general purposes for the year ended February, 1905, and the increased liability that is at present met by the Department of Public Works, and which the Councils will have to take over on the passage of the Bill. On reference to the three concluding columns of the table, it will be observed that, no matter what the system of rating adopted, the taxation in the case of several of the municipalities, will be such as to place them in, what ordinarily may be termed, necessitous circumstances. This view, which apparently on the surface is a reasonable one, should not, however, be accepted without a close analysis of the position and management of the Councils, as disclosed by their abstracts of accounts. It must be borne in mind that, under existing law, municipalities can only rate up to 1s. in the £ on nine-tenths of the rental value of property. I have had prepared a supplementary Table No. 6, which shows the amount leviable as a general rate for the year and the amount actually expended for general purposes during that year. This shows that, in very few cases have the Councils lived within their legitimate income. With the view that the Advisory Board should thoroughly understand the financial position of the municipalities, I have had Table 7 prepared, which shows the position of the General Purposes Accounts at February, 1905. From this the statement already made, that the Councils in many cases are not living within their income, is clearly demonstrated.

9. To determine whether the expenditure for the year adopted is a normal one, would necessitate an analysis of the details which are only in the possession of the Councils, and would entail an enormous expenditure of time. It may be that the services grouped under the designation, "General Purposes," were starved in previous years, thus entailing increased expenditure during the year under review, but the fact remains, that the amount leviable as a general rate has been far from adequate to meet requirements.

10. I would invite the attention of the Advisory Board to that part of Return No. 4 which sets forth the interest on loans, salaries, and office expenses and miscellaneous expenditure, and point out that much of the unfinancial position of many of the Council is due to the fact that they have to meet services and obligations in this direction irrespective of the ordinary demands of the municipalities. If the expenditure of the year adopted has been reasonable, the Councils must face the fact that under the Local Government Extension Bill the general purpose rating must be considerably increased to enable them to meet their obligations.

11. Table No. 8 has been prepared to indicate the amount in the £ on the rental value equivalent to 1d. in the £ on the unimproved value in respect of each municipality.

12. A supplementary Table—No. 9—indicates the rate in the £ on the rental value that will be necessary to meet the General Purposes Expenditure, and also shows the decrease or increase of taxation determined according to the method mentioned in paragraph 4. In the cases of the municipalities of Camperdown, Ballina, Berry, Bourke, Broughton, Vale, Campbelltown, Castelreagh, Cudal, Cudgegong, Grafton, Grafton South, Morpeth, Moruya, Taree, Tenterfield, Ulladulla, Warren, and Wingham there will be an increase of taxation cast upon the ratepayers.

13. In conclusion, it may be stated that the effect upon the finances of the State will be that the State Government will be relieved of an expenditure of £47,566, while, on the other hand, the remission of Land Tax and the endowment under the conditions laid down in the Bill will total £97,404, of which, however, £3,225 is payable as endowment under the existing law. The net sum that will be demanded from the Government will therefore be £46,613.

W. H. HALL,
Acting Government Statistician.

III.*

Report and Returns furnished by the Local Government Engineer.

Local Government Extension Bill.

Public Works Department, Local Government Branch,
July 12, 1906.

A glance at the information provided by the Acting Government Statistician, and compiled from the published statement of each municipality, clearly shows that in the majority of cases the expenditure coming under the heading of "General Purposes" is in excess of the revenue derived from a general rate of 1s. in the £ on the usual rental basis, and so far as can be gathered, the deficiency is no less than £50,677 per annum, of which £23,380 belongs to the metropolitan municipalities, forty in number, and £27,297 to the country towns, of which 151 are incorporated. To get rid of these deficits, the general rate on rental assessment values would have to be 13½d. in the £ in the former, and 14½d. for the country municipalities; but, of course, in several cases these rates would have to be exceeded, which can be seen on reference to the statistical returns annexed, and the very full and clear description of the various classes of municipalities given by the Officer-in-Charge. It is proposed to transfer services, in the shape of the care of the main roads, many bridges, wharves, ferries, &c., now paid for by the State, to the control of the municipalities in which such works are situate, the councils of same to be responsible for all necessary expenditure in connection therewith, including renewal. In the amounts set down as the cost of these transferred works, provision has been made for reconstruction, when such becomes necessary. In the case of bridges and wharves, a large number of important structures, either within municipalities or on their boundaries, have been omitted, and have been set down as (tentatively) "national," it being considered that most of them are too important and costly to be within the reasonable financial ability of the Councils to, at any rate, renew. For the purpose of this statement, the whole cost in connection with these structures has been omitted. Of these, bridges in the City of Sydney and suburbs (13 in number) cost about £424,070, whilst in the country municipalities 106 cost, approximately, £652,000. Of wharves, the most important proposed to be retained by the State are Newcastle, Wollongong, Kiama, Port Jackson, Hay, Wentworth, Bourke, and Moama; also, jetties at Botany, Sans Souci, and La Perouse, with other minor wharves used by the Harbours and Rivers Branch for construction purposes. With respect to those to be handed over to the municipalities, liberal allowance has been made for repairs and renewals, whilst it is extremely probable the local authorities will get far more revenue than is at present received by the Crown. Punts and ferries have in no case been treated as "national," and whilst in those of Grafton, Taree, Ulmarra, Raymond Terrace, and Tom Ugly's Point, the expenditure for maintenance and working, with necessary provision for renewal when needed, exceeds the revenue; full allowance for this has been made in the cost of transferred services. The Spit Ferry, on the other hand, is a paying concern. The total cost of the works transferred from the State, and which will, by the Bill be thrown upon the municipalities, is £44,241, the metropolitan suburbs accounting for £16,905, and the country towns for the balance, £27,336. These amounts include the sum paid in the way of subsidies by the Government to the Councils, for the maintenance of the main roads, and towards that of the extension of what are termed in the Schedules "Minor Roads." The calculations have been based on 1905-6 Estimates, which were higher than those of the previous year, on which the "Shires" Interim Statement was founded. The accompanying financial returns give the amounts for the various transferred items in the metropolitan area and the country. The Government has hitherto made grants for parks and works, other than roads and bridges; these came to £3,325, of which country municipalities absorbed £2,556, and Sydney suburbs £769. In future these services will not be assisted, if the "Bill" conditions be adhered to.

To bring the incorporated towns in line with the recently created Shires, it is contemplated to relieve the ratepayers of the former from the payment of the Land Tax, which, as given by the Acting Government Statistician, amounts to £88,220, made up of £50,113 for Sydney suburbs, and £38,107 for country municipalities; so that, although the Crown burdens the municipalities with £47,566 worth of transferred services, the ratepayers in general, gain considerably by the change of taxable conditions; and were it not that so many towns need the help of additional rates to balance their present general purposes expenditure, they would be very well off by the changes proposed; and it must be admitted the Government is not responsible for the excessive annual deficits which are shown by so many municipalities in their general purposes expenditure. To remedy this state of matters, it is proposed to extend the rating powers of the Councils, so that a sufficiently high general rate can be levied to cover the cost of transferred works and the deficiencies alluded to. This additional rate is but ½d. in the £ of unimproved land values in the metropolitan area, and 4-5ths of a penny in the country municipalities, the net sum needed being £40,915 and £50,407, respectively. It is found there are seventy-three incorporated towns where the remitted Land Tax will not cover the burden of transferred works, and to remedy this it is proposed to provide the deficiency as a special endowment, which amounts to but £984 in five metropolitan municipalities, and £8,149 in sixty-eight country towns. It will thus be seen the Government gives £97,353 to pay for £47,566, cost of transferred services. Without an inspection of the various municipalities, it is impossible to say what is being done in the way of carrying out needed improvements to the streets and roads; but it is apparent from the small amount spent on such work, that the crippled condition of the Council's finances, in many cases, has been the cause of the restricted expenditure on the highways; and it is to be hoped, with the help now proposed to be given by the Government, and the increased rating powers provided by the Bill, that the streets and roads of municipalities will receive their full share of attention, and thus obviate the need for the constant appeals that are now made to the Government, to carry out or give help for works required for inter-municipal traffic or use.

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* The Returns attached to this report are not reprinted.

I append four Statements (Nos. 10, 11, 12 and 13). The first shows the effect of the Bill, if passed, on the finances of the State, and it will be seen the amount of probable loss to the latter will be £40,691, chiefly represented by the difference between the surrendered Land Tax and the cost of the transferred works.

Statement No. 11 shows how the Municipal Councils will be affected by the Bill as now submitted, and by which such an elasticity in the rating conditions will be allowed, that each municipality should be able to live within its means and carry out an increased amount of useful works.

Statement No. 12 gives the effect of the Bill from a ratepayer's point of view. It shows that after allowing for the remitted Land Tax, metropolitan area taxpayers will benefit to the extent of £9,198 after paying the increased general rate required to make up the deficiency on the expenditure under that head. The country municipalities are less fortunate, as the Land Tax remitted falls short of their wants by £12,300. In the statements furnished it is assumed the several Councils will, under the new conditions, levy sufficient to balance the account of revenue and expenditure for general purposes. There being no exemptions in municipal rating; those who now do not pay Land Tax will only be called upon to contribute, beyond the 1s. in the £ they now pay, ½d. in the £ on the unimproved land value in the metropolitan area, or 3d. if based on the rental assessment, whilst in the country municipalities those not at present liable for Land Tax will be required to contribute 4¾d. in the £ on rental basis, or ⅘d. in the £ of unimproved land value, in addition to their present levy for general rate. As previously pointed out, the Crown is in no way responsible for this extra taxation, and it is only required to put the municipalities on a sound footing, which should amply compensate for the very slight payment needed to obtain so desirable a result. In the accompanying statements the City of Sydney is not included. New municipalities, formed since February last, such as Barraba and Homebush, are also not dealt with, nor are the areas recently added to certain municipalities under the Shires Act, for the reason that it is likely they will be specially dealt with under the Bill. The addition made to Berry, too, has not been considered, but with the Land Tax remitted the ratepayers will generally greatly benefit in most of these cases.

Statement No. 13 gives the details of the works proposed to be handed over in each municipality. The cost of roads has been based on the amounts set down in the Schedules of the Public Works Department for 1905-6, but does not include special grants given to a few municipalities from the Unclassified Vote.

ROBERT E. JONES,
Local Government Engineer.

July 12, 1906.

Report by Officer-in-Charge of Local Government on Legislative Council's Amendments *re* Basis of Rating and Limit of Rates under Local Government Extension Bill.

Local Government Extension Bill.

Basis of Rating—Limit of Rates—Legislative Council's Amendments.

Local Government Office, December 7, 1906.

1. The Honourable the Premier having promised to lay before Parliament a report as to the probable effect of the Legislative Council's amendments in Clause 62 and new Clause 66 of the Local Government Extension Bill, I have the honour to report as follows:—

Amendments to Clause 62—Limit of General Rates.

2. The amendments are as follow:—

Application of s. 33 of Shires Act.

~~62.~~ 65. (1) Subsection three of section thirty-three of the Shires Act is hereby repealed. The provisions of section thirty-three, as hereby amended, of Division 4 of Part VI of the Shires Act shall apply to municipalities:

No limit in municipalities.

Provided that the limit of two pence in the pound provided in subsection one of section thirty-three of the Shires Act shall not apply to municipalities, except in the case of a rate on a mine worked for the purpose of mining for any mineral other than coal or ~~shale, in which case the said limit shall apply.~~

* * * * * * * * *

Council may levy additional general rate.

Poll on basis of assessment of additional general rates.

(2) A council of a municipality which has levied a general rate of not less than one penny in the pound on the unimproved capital value of all rateable land in its area, may raise any additional sum which may be required by an additional general rate on either the unimproved or the improved capital value of such land, as may be determined by the council: Provided that notice shall be given as prescribed of the proposal to levy such additional general rate, and that, if within the prescribed period, one hundred persons on the roll of ratepayers make a written demand for a poll on the question whether the basis of assessment for such rate shall be the unimproved or the improved capital value, the council shall forthwith meet and fix and notify, as prescribed, a day, not being less than seven nor more than fourteen days after such meeting for the holding of such poll, shall hold the poll on such day and shall abide by the decision of such poll. At the poll ~~all ratepayers of the area may vote.~~

Provided also that in any municipality the sum of the rates so made and levied on the unimproved capital value and the rates of any kind already made or levied on the unimproved capital value shall not in any year exceed twopence in the pound on the unimproved capital value of the rateable land.

Provided further that the Council of a municipality may also make and levy a general rate on the improved capital value of all rateable land in its area. Such general rate shall not exceed one penny farthing in the pound on the improved capital value of the rateable land.

3. The object of this amendment is twofold, viz., (a) to take away from Councils the power of absolute choice as to which basis of rating shall be adopted; and (b) to limit the amount of the *general rates.*

The basis of rating.

4. As the Bill stood when presented to the Legislative Council, the Councils of municipalities would have had perfect freedom, either to put all the general rate on the unimproved capital value, or to put 1d. (in lieu of Land Tax) on the unimproved capital value and the whole of remainder on the improved capital value. If any considerable section of the ratepayers of any municipality thought that the proposals of their Council as to the basis of rating were injudicious or unfair they could demand that a poll of ratepayers be taken to settle the question.

5. The choice of a basis of rating lies between taxing only land, the value of which is enhanced by municipal expenditure, or taxing the land and the improvements which have been made upon it, the argument being that if there were no improvements there would not be need for municipal expenditure, and therefore the improvements should be rated. This matter is one on which there is much

difference of opinion; and the course followed by the Legislative Assembly was to leave it to the people concerned, the people who have to pay the rates, to say what basis they would be taxed on.

6. A similar option is allowed in New Zealand, and, so far as published reports show, the results have been good.

7. Under the clause as amended councils will not be able to levy more than 2d. in the £ on the unimproved capital value, even though a higher rate would be required to raise the amount of the necessary expenditure for general purposes on the present scale.

The limit.

8. The limit proposed to be put on the *general rates* is 2d. in the £ on the unimproved capital value, plus 1¼d. in the £ on the improved capital value of all rateable land.

9. If compared in the *aggregate* with the present powers of general rating the limit proposed appears to give a fair margin.

10. The present maximum general rate, 1s. in the £ on rental value, is estimated to yield £319,538; add to this the estimated Land Tax in municipalities, £88,220; and the total at present leviable for "General Purposes" may be estimated at £407,758.

11. A general rate of 2d. in the £ on the unimproved capital value is estimated to yield £287,160; add 1¼d. in £ on improved capital value, £492,590; and the total which would be leviable under the amendment may be estimated at £779,750, so that, *in the aggregate*, there is a margin of rating power, for *general* purposes, of £371,992.

12. But when the limit proposed in the clause is applied to individual municipalities it will be found to be inadequate, as will be seen by reference to Statement A,[*] herewith.

13. This statement shows that, in ten municipalities, there would, under the limit proposed, be a deficiency of rating power varying from £47 to £3,443.

* * * * * * * * *

14. In the case of Broken Hill, probably the provision for a better assessment of mines which is contained in the Bill may to some extent swell the revenue, but not sufficiently to make up so large a deficiency as £3,500.†

15. In the cases of the other nine municipalities which would have deficits, it might be argued that, if the maximum rates were insufficient, they should be treated as in necessitous circumstances, and therefore be granted endowment under the Bill.

16. In three of the above cases, the municipalities may possibly on investigation be found to be entitled to endowment under Subclause 4 of Clause 19 because of the excess of the responsibility for expenditure transferred from the Government to the municipality over the Land Tax transferred. On this point, the following information taken from my report of 12th July, 1906, which was printed and laid before Parliament, is of interest, and proves that in only one case will the deficiency of rating power be due to excess of transferred expenditure:—

Municipality.	Transferred Expenditure.	Transferred Land Tax.	Difference which *may* be given as endowment.	Effect of preceding table as to deficiency of general rating power.
	£	£	£	£
Broken Hill†	583	566	17	Deficiency of 3,426†
Grafton South	579	54	525	Margin of 255
Narrabri West	55	12	43	Deficiency of 4

NOTE.—In the remainder of the cases cited in paragraph 13 above, the land tax transferred exceeds the transferred expenditure.

† The Statistician's figures for the unimproved and improved capital values of lands in municipalities necessarily do not include values of mining leases. The figures quoted therefore exclude probable revenue from mines. Since writing this report, I have had an opportunity of obtaining information as to the probable effect of rating mining leases in these municipalities, and find that these deficits will probably be covered by the rates from mines. J. G., 16/12/06.

Further, a scrutiny of the figures respecting the other municipalities shows that in a number of cases, though there will not be an actual deficit, the limit rates are only barely sufficient for present needs for general purposes, and do not leave a sufficient margin for future expansion.

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[*] Not reprinted.

18. In view of these facts, I submit that, if a limit is to be provided, it should be a higher one, so that each of the existing municipalities would have sufficient rating power to provide for necessary expenditure on the present scale. To do this for Broken Hill, the additional general rate on the improved capital value would need to be 1.9d. or, say, 2d. instead of 1¼d. in £.

19. In any case, however, the words "and the rates of any kind already made and levied on the unimproved capital value" should be omitted from the amendment. It is difficult to exactly define what they mean; their intention is covered by the new Clause 66 inserted by the Council; and if, as I recommend, new Clause 66 be struck out, these words would go as a consequential amendment.

New Clause 66—*Limit on all rates* (*General, Special, Local, Loan*).

20. By the new clause inserted after Clause 65, it is provided that *all* rates (general, special, local, and loan) taken together, shall not exceed the sum of—

(*a*) 2d. in £ on unimproved capital value;
(*b*) 1¼d. in £ on improved capital value.

21. As has already been shown, this limit is insufficient for some of the municipalities for *General Purposes* Expenditure alone; and, when *Special Purposes* Expenditure is added, the limit is still less sufficient.

22. At the present time under the Municipalities Act the following rates may be levied:—

	s	*d.*	Limit.
General Rate	1	0	in £ on Annual Value.
Special Rates	1	0	" " "
Libraries and Educational Rates ...	0	3	" " "
Street Watering Rates	0	6	" " "
Water Rate			Not more than 5*s.* per room of house.
Total	2	9	and Water Rate of 5*s.* per room.

23. A rate of 2s. 9d. in £ on Annual Value would yield a sum of £878,731. The total which might be levied under the limit proposed now by the Legislative Council is (*a*) 2d. in £ on unimproved capital value £287,160; plus (*b*) 1¼d. in £ on improved capital value £492,590; total, £779,750. The Special and General Rates, taken together, are limited under the existing Municipalities Act to 2s. in £ on rental value, though there is some doubt on the question whether the "Libraries and Educational Rates" above mentioned come within this restriction. Taking the limit as 2s., however, the possible rates would be £639,077, plus present Land Tax £88,220, total £727,297. Considered *in the aggregate*, therefore, there appears to be a margin of rating power of £52,453.

24. Here also, when the proposed limit is applied to the municipalities individually, a different light is thrown on the subject. The effect of the clause on individual municipalities is shown in Statement B herewith.*

25. This statement shows that in some municipalities the margin of rating power over present needs would be large, as, for example, in Balmain (£15,257), Newtown (£13,555), North Sydney (£20,470), and Woolahra (£10,475). In others it would be fair, but in yet others, even in the suburbs, the margin is not a sufficiently wide one, as in the cases of Botany (£298), Erskineville (£836), and several others.

26. It is when the amendment is considered in relation to the country municipalities, however, that its worst effects are seen. The municipality of Broken Hill will require for general purposes expenditure, £11,587, and for special expenditure, £469, a total of £12,056. The rates possible under the Bill as amended are, on unimproved capital calue, £1,840, on improved capital value, £6,304, making a total of £8,144. The deficiency in Broken Hill, therefore, would be £3,912. Bathurst will require £3,589 for general purposes, and £3,880 for special purposes, making a total of £7,469. The rates under the amendment would be limited in the gross to £7,226. The deficiency in Bathurst would therefore be £243. Similarly Armidale would be left with a deficiency of £298.

27. The following is a list of the municipalities for which the proposed limit would be quite insufficient:—

* * * * * * *

28. Apart from these cases of absolute deficits, a large number of the remainder of the municipalities would, if the proposed limit were put on all rates, be either

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* Not reprinted.

barely able to meet expenditure on present scale only, or would have a very slender margin to come and go upon.

29. It is submitted that the provision of the bill that when it is proposed to levy a new special, local, or loan rate, the proposal cannot be given effect to unless approved at a poll of ratepayers, is a quite sufficient and effective provision for a limit; and much better than the insertion of a limit in figures.

30. If, however, a figure must be inserted, then, to enable all municipalities to finance themselves on present requirements alone, the limit should be about 2¾d., instead of 1¼., for the rate on improved capital value, in addition to the 2d. on the unimproved capital value. Even this, however, would leave Broken Hill,* South Grafton, Nyngan, Cobar, Narrandera, Wellington and Wrightville* without a margin for reasonable expansion of expenditure, except such as might be the consequence of expansion in the values of properties.

31. Appended hereto are two additional tables† of calculations with respect to rates required in the municipalities for which the limits proposed by the Legislative Council are unworkable. These tables may be useful for reference.

The drafting of the clauses re *the limitation of rates.*

32. The amendment which limits the general rate reads as follows:—

> Provided also that in any municipality the sum of the rates so made and levied on the unimproved capital value and the rates of any kind already made or levied on the unimproved capital value shall not in any year exceed twopence in the pound on the unimproved capital value of the rateable land:
>
> Provided further that the council of a municipality may also make and levy a general rate on the improved capital value of all rateable land in its area. Such general rate shall not exceed one penny farthing in the pound on the improved capital value of the rateable land.

33. The amendment which limits all rates reads thus:—

> Nothwithstanding anything contained in this Act, the total amount of all rates which may be made and levied under this Act on the unimproved capital value of any land shall not in any year exceed twopence in the pound of the unimproved capital value of the said land, and the total amount of all rates which may be so made and levied on the improved capital value shall not in any year exceed one penny farthing in the pound of the improved capital value.

34. It will be seen that there is a certain amount of justification for the doubt which has been expressed as to what the effect of the clause will be. In some quarters it is interpreted to mean that the rates may be levied as follows:—

- (*a*) Improved land, 2d. on unimproved capital value, and 1¼d. on improved capital value.
- (*b*) Unimproved land, 2d. on unimproved capital value, and nothing on improved capital value (because the land is not improved).

35. Another interpretation which is placed upon it is as follows:—

- (*a*) Improved land, 2d. on unimproved capital value, and 1¼d. on value of improvements (*i.e.*, on the difference between unimproved capital value and improved capital value).
- (*b*) Unimproved land, 2d. on unimproved capital value, and nothing on improved capital value.

36. The interpretation which will meet requirements (and it is the interpretation on which the figures given in the preceding paragraphs are based) is that the clause means:—

- (*a*) Improved land, 2d. on unimproved capital value, and 1¼d. on improved capital value.
- (*b*) Unimproved land, 2d. on unimproved capital value, and 1¼d. on improved capital value (which, in the case of the unimproved lands, is the same as the unimproved capital value).

37. If the words "and the rates of any kind already made and levied on the unimproved capital value" are omitted from the amendment to Clause 62 (previously quoted), there is no doubt, I think, but that the clause must be interpreted in the third of the above ways.

38. But, when considered in connection with new Clause 66 (quoted above), the question is seen to be a very doubtful one. The clause says: "the total amount of all rates which may be made and levied under this Act on the unimproved capital

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* See notes on page 33, *re* probable revenue from mines.

† Not reprinted.

value shall not in any year exceed twopence in £ on the unimproved capital value." The improved capital value includes the unimproved capital value, and, therefore, if a rate is put on improved capital value, after twopence has been levied on unimproved capital value, it will be fairly open to argument that the rate is illegal under new Clause 66; so that then the second method of interpretation given above may be adopted, and the rate proposed to be levied on improved capital value may, in fact, be levied only on the value of improvements ex land (*i.e.*, the difference between the unimproved capital value and the improved capital value).

39. If the new Clause 66 is not struck out, therefore, it will, I submit, be well to re-draft it.

40. The following would put the matter beyond doubt :—

> " 66. Notwithstanding the provisions of the four last preceding sections the sum of all rates which may be made and levied on the unimproved capital value of all rateable land, except rates levied under Sections 94, 95 and 100, shall not in any year exceed pence in the £ on such unimproved capital value : Provided that, in addition to any rates so made and levied on the unimproved capital value, other rates may be made and levied as in this Act provided on the improved capital value of all rateable land, and that the sum of all rates so made and levied on such improved capital value, except rates levied under Sections 94, 95 and 100, shall not exceed pence in the £ thereon : Provided also that all rates levied on improved capital value may be levied on the unimproved land, notwithstanding the fact that its improved capital value as defined by this Act is not greater than its unimproved capital value as so defined."

J. GARLICK,
Officer-in-Charge, Local Government.

TRADE WITH NEW ZEALAND.

BOARD OF TRADE.—COMMERCIAL INTELLIGENCE COMMITTEE.

REPORT

UPON THE

CONDITIONS AND PROSPECTS

OF

BRITISH TRADE IN NEW ZEALAND.

BY THE

ADVISORY COMMITTEE OF THE BOARD OF TRADE ON COMMERCIAL INTELLIGENCE;

BASED UPON INFORMATION COLLECTED BY THEIR COMMISSIONER, MR. R. J. JEFFRAY.

Presented to both Houses of Parliament by Command of His Majesty.

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PREFATORY NOTE.

The following Report on the Condition and Prospects of British Trade in New Zealand is based upon materials collected by Mr. R. J. Jeffray, in New Zealand, and information drawn from other sources.

Mr. Jeffray visited New Zealand in 1906, as Commissioner on behalf of the Advisory Committee on Commercial Intelligence, and in the course of his investigation visited Wellington, Auckland, Christchurch, Dunedin, Nelson, Westport, and Greymouth. He received much ready and valuable assistance in his enquiries from the Government of the Dominion, from the Chambers of Commerce, and many private individuals. The material thus collected has been amplified in the present Report, which contains the latest available information as to the course of the trade of the Dominion.

Board of Trade,
Commercial Department,
December, 1907.

1500 Wt 19478 1/08 D & S 1 30223

REPORT ON THE CONDITIONS AND PROSPECTS OF BRITISH TRADE WITH NEW ZEALAND.

INTRODUCTORY: THE NEW ZEALAND MARKET.

The Dominion of New Zealand, which extends over a territory which, inclusive of the small dependent islands in the Pacific Ocean, amounts to 104,531 square miles, or almost precisely twice the area of England and Wales, with an estimated population at the close of the year 1906 of 908,726 persons (exclusive of about 48,000 Maoris and some 12,000 inhabitants of the Cook and other Pacific Islands), is at present enjoying a period of rapid economic development and of great and general prosperity. The population has steadily advanced in numbers, at a somewhat increasing rate of progress; between 1895 and 1900 the increase was a little less than 10 per cent., and in the ensuing quinquennial period it was nearly 15 per cent., whilst the estimated actual growth in 1906 (26,264) was the largest yet recorded for any single year in the history of the colony since 1879. It is noteworthy that the part of the recent increase of population which has been due to immigration has been derived almost entirely from the United Kingdom and Australia.

The amount of land under cultivation was 8,462,495 acres in 1890 and 14,114,925 acres in 1905. The number of separately occupied and cultivated holdings of over 1 acre in extent rose from 38,083 in the former to 69,942 in the latter year; of this total 19,787 holdings were of 10 acres or less, 11,745 of 11 to 50 acres, 7,562 of 51 to 100 acres, and 9,950 of 101 to 200 acres, whilst only 4,398 were of more than 1,000 acres. Thus agriculture in one form or another is, and must long remain, the predominant interest of New Zealand, but at the same time industries have been established and strenuous and persistent efforts are being made to develop them, both by the tariff policy of the Dominion and by other forms of Government aid and encouragement. The number of persons employed in "industrial enterprises" increased from 27,389 (including 2,969 females) in 1896 to 49,806 (including 6,253 females) ten years later, whilst the value of the output (including repairs) advanced in the same period from £9,549,360 to £22,422,736; and although owing to certain changes in the Census definition of a "factory" the figures for the two years are not strictly comparable, they are sufficiently so to indicate the extent of New Zealand's industrial progress. Mining activity is confined chiefly to coal and gold. The output of the former rose from 637,397 tons in 1890 to 1,585,756 tons in 1905, and during the same period the export of gold produced in New Zealand, which however fluctuated considerably, rose from 187,641 ounces to 520,485 ounces—the advance since 1900 having been particularly marked. The total number of persons engaged in gold-mining in 1905 was 9,362, and in coal-mining 3,269.

The statistics of foreign trade show the same upward movement and indicate substantial progress in the general well-being of the Dominion, as the growth of trade has been far more rapid in recent years than the increase in population; in particular there was a notable development in imports and exports in 1906.

The following table shows the population, imports, exports, and total trade (exclusive of specie) at five-year intervals since 1890, and for the year 1906:—

Year.	Population on December 31st (exclusive of Maoris and inhabitants of Pacific Islands).	Imports.*	Exports.*	Total Trade.*
		£	£	£
1890	625,508	5,928,895	9,569,316	15,498,211
1895	698,706	6,115,953	8,518,119	14,634,072
1900	768,278	10,207,326	13,223,258	23,430,584
1905	882,462	12,481,178	15,642,069	28,123,247
1906	908,726	14,303,170	17,972,480	32,275,650

* Exclusive of specie.

It will be seen from this that whilst between 1890 and 1906 the estimated population advanced by about 45 per cent., the total foreign trade of the Dominion (exclusive of specie) increased in value by 108 per cent., the rise in imports alone being 141 per cent. and in exports alone 88 per cent.—the relatively great expansion of imports testifying to the increased purchasing power of the community.

The following table shows the imports, exports, and total trade (exclusive of specie) per head of population for the same years :—

Year.	Imports*	Exports*	Total Trade*
	per Head of Mean Population (excluding Maoris).		
	£ s. d.	£ s. d.	£ s. d.
1890	9 11 0	15 8 4	24 19 4
1895	8 16 8	12 6 0	21 2 8
1900	13 7 4	17 6 4	30 13 8
1905	14 6 11	17 19 7	32 6 6
1906	15 19 5	20 1 9	36 1 2

* Excluding Specie.

IMPORT STATISTICS.

From the facts thus briefly set out it will be apparent that, although New Zealand is still comparatively a small State, it yet constitutes a market which is of considerable importance, is steadily developing, and offers great possibilities for the near future. It is therefore worthy of the most careful consideration by English manufacturers and merchants. At present British trade has a great pre-eminence in the Dominion, but it is encountering considerable and active competition from foreign countries. The tables on the opposite page show the shares of the United Kingdom, the Commonwealth of Australia, all other British Possessions, the United States and other Foreign Countries in the import trade of New Zealand in the 16 years from 1891 to 1906, both in actual amounts and in percentages.

The most noticeable features of these tables are (*a*) the marked increase—amounting to 15·4 per cent. of the total imports in 1906 as compared with those of the previous year ; (*b*) the nearly equal increase—14·6 per cent.—in the imports from the United Kingdom ; (*c*) the fact that to the British Empire no less than 84 per cent. of the total import trade is credited, which is a slightly higher percentage than in any one of the previous five years ; and (*d*) the remarkable steadiness of the proportion assigned to the United Kingdom, which has been 62 per cent. in each of the years 1903 to 1906 inclusive.

In regard to these tables, however, it is necessary to bear carefully in mind the presence of the difficulty arising from the well-known confusion between "countries of origin" and "countries of shipment," as except in the case of goods belonging to classes to which the provisions of the Preferential and Reciprocal Trade Act, 1903, apply, there is no necessity for an exact statement on the part of importers as to the origin of goods brought into the country. Goods from the countries of continental Europe go to New Zealand in the main either through the United Kingdom or through Australia (there is direct transit from the United States) ; and the consequence is that the trade statistics are affected in two ways : (*a*) the imports stated to be from the United Kingdom include a certain amount of foreign goods originally shipped from the Continent of Europe to the United Kingdom and subsequently despatched to New Zealand—which for various reasons do not appear in the United Kingdom returns as re-exports ; and (*b*) imports described as coming from Australia include goods from the Continent of Europe, from the United Kingdom, and from elsewhere, which were consigned originally to Australian ports. The following table shows the exports from the United Kingdom to New Zealand as given in the

IMPORTS INTO NEW ZEALAND, 1891–1906.

A. VALUE of IMPORTS into NEW ZEALAND, distinguishing the Principal Sources of Supply (excluding Bullion and Specie).

Years.	Value of Imports into New Zealand from—					
	United Kingdom.	British Possessions.		Foreign Countries.		Total Value of Imports.
		Australian Commonwealth.	All other.	United States.	All other.	
	TOTAL VALUES.					
	£ 1,000	£ 1,000	£ 1,000	£ 1,000	£ 1,000	£ 1,000
1891	4,370	942	588	362	170	6,432
1892	4,727	957	466	382	213	6,745
1893	4,482	995	475	379	163	6,494
1894	3,947	946	522	395	180	5,990
1895	3,979	991	556	394	196	6,116
Annual Average 1891–1895 ...	4,301	966	522	382	184	6,355
1896	4,714	990	563	493	277	7,037
1897	5,338	997	688	628	344	7,995
1898	5,149	1,141	787	800	335	8,212
1899	5,527	1,213	718	775	382	8,615
1900	6,454	1,390	892	1,062	410	10,208
Annual Average 1896–1900 ...	5,436	1,146	729	752	350	8,413
1901	6,881	1,525	975	1,415	561	11,357
1902	6,851	1,348	864	1,319	577	10,959
1903	7,442	1,517	988	1,441	692	12,080
1904	7,982	1,502	1,172	1,528	716	12,900
1905	7,784	1,480	1,124	1,438	655	12,481
Annual Average 1901–1905 ...	7,388	1,474	1,025	1,428	640	11,955
1906	8,920	1,955	1,111	1,406	911	14,303

B. PROPORTION of TOTAL IMPORTS furnished by each Principal Source of Supply.

Years.	United Kingdom.	Australian Commonwealth.	All other.	United States.	All other.	Total Value of Imports.
	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.
1891	68	15	9	5	3	100
1892	70	14	7	6	3	100
1893	69	15	7	6	3	100
1894	66	16	9	6	3	100
1895	65	16	9	7	3	100
Annual Average 1891–1895 ...	68	15	8	6	3	100
1896	67	14	8	7	4	100
1897	67	12	9	8	4	100
1898	63	14	9	10	4	100
1899	64	14	8	9	5	100
1900	63	14	9	10	4	100
Annual Average 1896–1900 ...	64	14	9	9	4	100
1901	61	13	9	12	5	100
1902	63	12	8	12	5	100
1903	62	12	8	12	6	100
1904	62	12	9	12	5	100
1905	62	12	9	12	5	100
Annual Average 1901–1905...	62	12	9	12	5	100
1906	62	14	8	10	6	100

United Kingdom Trade Returns for the five years 1902 to 1906, distinguishing between the produce and manufactures of the United Kingdom and foreign or colonial produce and manufactures re-exported; it will be remembered that these values are *f.o.b.*, whereas those in the table for New Zealand imports given above are *c.i.f.* :—

Year.	British and Irish Produce Exported to New Zealand.	Re-Exports to New Zealand.	Total Exports from United Kingdom to New Zealand.
	£	£	£
1902	5,676,576	481,309	6,158,885
1903	6,361,390	593,430	6,954,820
1904	6,315,090	582,330	6,897,420
1905	6,425,793	569,013	6,994,806
1906	7,400,188	652,288	8,052,476

These figures only confirm that impression of the steadiness of British trade with New Zealand in recent years which was given by the detailed table of New Zealand imports previously set out. In 1902 the percentage of re-exports in the total exports from the United Kingdom to New Zealand was 7·8; in the following year it rose to 8·5, but dropped in 1904 to 8·4, and for the last two years it has been 8·1. It may therefore be regarded as clearly established by the two tables that the United Kingdom has in the last five years fully held its own, and maintained its position in the Dominion market. Against the deduction of foreign goods which must be made from the New Zealand import figures in order to arrive at the imports which were actually of United Kingdom origin must be set that part of the imports from Australia, undoubtedly considerable, which are really also of United Kingdom origin and have been re-exported from the Commonwealth. On the whole, therefore, it may reasonably be assumed that any re-adjustment of the figures based on exact information as to countries of origin would not seriously affect the percentages of the New Zealand import trade assigned to the United Kingdom in the detailed table given above, but would increase the percentages assigned to foreign countries and diminish that of the Commonwealth of Australia. Some further modification would, however, be necessitated by the fact that some part of the imports credited to the United States should in reality be assigned to Canada. Moreover it is to be observed that the import of steamers for coastal and inter-colonial traffic is not recorded in the general New Zealand trade statistics (this was the case also in Australia until 1906). From information furnished by companies concerned, it appears that the total value of such steamers imported during the 15 years 1890 to 1905 was about £1,600,000. This gives an average annual import of over £106,000 for the whole period, but for the nine years 1897 to 1905, during which the vessels acquired for this coasting and inter-colonial trade have been both more numerous and of greater tonnage, the average value per annum has been considerably greater. These imports have been without exception of purely British origin, and the effect of the omission is to detract somewhat from the volume and value of the imports from the United Kingdom.

The United Kingdom's share so far discussed is a percentage of the total imports of merchandise into New Zealand, but it is to be remembered that of these total imports a certain part consists of goods which the United Kingdom does not itself produce, and which also, for geographical reasons, do not go to the Dominion by way of United Kingdom ports, or do so only to a very small extent. Such, for example, are a number of food commodities—rice, potatoes (which come chiefly from Victoria), fresh fruit (largely from Fiji and Victoria), sugar (which is drawn mainly from Fiji, but also from New South Wales and Java), Australian wine, tea (almost entirely from India and Ceylon, the latter being the chief source of supply); and also such commodities as coal (from New South Wales), dressed and undressed timber (principally from Australia), kerosene and turpentine (from the United States), wool (a small amount is imported from Australia), and kapok (from India and Java). The total value of commodities of these kinds imported into New Zealand in 1906 was not less than £1,500,000, and the deduction of this amount from the total imports in that year would raise the United Kingdom share of the trade in which it could reasonably be expected to participate, to about 70 per cent.

So far then as the available statistics go it is evident that the United Kingdom has at present an overwhelming pre-eminence in the New Zealand trade ; that (even when all allowances are made for the difficulty of interpreting the figures) it is clear that the slow decline which was taking place up to 1900 and 1901 has been checked, and that in the last five years British traders have held their ground, and secured in 1906 their full share of the striking expansion which characterises that year. In considering this question of the general distribution of the New Zealand trade and the share therein of the United Kingdom, there are two important factors to be taken into account, first the preferential tariff treatment which is accorded by the Dominion to the products and manufactures of the Empire, and, secondly, the nature of New Zealand's oversea communications.

(i.) *Preferential Treatment of British Goods.*

Under the terms of the "Preferential and Reciprocal Trade Act," which came into force in November, 1903, New Zealand granted preferential treatment to certain specified goods the growth, produce or manufacture of any part of the British Dominions, not, however, as in the case of Canada and Cape Colony by means of a rebate of part of the duties imposed by the general tariff, but by the imposition of duties or additional duties on similar goods of foreign origin. The principal articles in regard to which the British Dominions thus received preferential treatment were :—(1.) Iron (plain block sheet, bar, bolt, plate and rod), rails for railways and tramways, and printing paper, which were admitted free when of British origin but paid a duty of 20 per cent. *ad valorem* when coming from foreign countries ; (2.) Cement, on which the additional duty was equivalent to 100 per cent. of the duty of the British article ; (3.) Boots and shoes, hardware, hollow-ware, iron nails, ironmongery, iron pipes and fittings, glass and earthenware, pianos, fancy goods and toys, on most of which the additional duty was 50 per cent. of the amount payable by British goods. On March 31st, 1904, tea grown in any part of the British Dominions became duty-free if imported in packets exceeding 1 lb. in weight. The following table shows the imports of a class subject to preferential treatment for the three years preceding the Act, 1901 to 1903 (the Act came into force on November 16th, 1903), and for the three years since, 1903 to 1906. It will be observed that the foreign share of the imports of these goods, which was increasing up to and in 1903, has since that year declined quickly, even in the prosperous year 1906, when the imports of these classes of goods as a whole increased by half a million pounds.

Year.	Imports of Articles of a Class subject to Preferential Treatment from			
	All Countries.	United Kingdom.	British Possessions.	Foreign Countries.
	£	£	£	£
1901	2,261,000	1,357,000	366,000	538,000
1902	2,247,000	1,341,000	326,000	580,000
1903	2,569,000	1,507,000	367,000	695,000
1904	2,731,000	1,604,000	436,000	691,000
1905	2,638,000	1,626,000	440,000	572,000
1906	3,150,000	2,086,000	521,000	543,000

The figures as a whole suggest that the effect of the preferential arrangements has been to divert to the United Kingdom and the British Possessions a portion of the trade formerly held by foreign countries in commodities affected by the preference, and that in particular in the last year the United Kingdom and British Possessions were enabled to secure the whole of the increase in the imports of these commodities, which constituted in that year about 22 per cent. of the total imports into New Zealand. This conclusion is borne out by evidence collected both in the Dominion and in the United Kingdom itself from various firms engaged in the New Zealand trade. Thus it was frequently stated that before the Act of

1903 came into operation Belgian iron bars could be placed in the New Zealand market cheaper than Scotch or North Country bars, but that the 20 per cent. *ad valorem* duty on foreign bars has completely reversed matters, and that British iron can now be purchased and landed in New Zealand at less cost than the continental article. The same statement is made as to most kinds of manufactured metal goods to which preferential treatment is accorded. British-made boots and shoes are also said to benefit considerably. The imports of these from the United Kingdom were in 1903 only £118,209, but by 1906 they amounted to £204,032, whilst the imports from the United States on the other hand, which amounted to £107,713 in 1903, had fallen to £46,846 in 1906. The imports of the same goods from Australia, which also had the advantage of preferential treatment, increased in the same period from £10,030 to £25,180. It should be stated, however, that the increase in the United Kingdom's export to New Zealand of these particular goods is ascribed in part also to alterations in the methods of British manufacturers, made in the effort to recover trade from the United States. Other commodities, which were specifically mentioned as having derived a substantial benefit from preferential treatment, were printing paper, in regard to which Canada is said to have benefited at the expense of the United States, the imports from the former country having risen from £2,216 in 1903 to £33,599 in 1906, whilst the import from the United States fell from £40,909 to £20,361 in the same period ; and tinned salmon as to which it is stated that British Columbia now furnishes the supply which previously came from the United States. On the other hand the amount of preference was stated in several cases to have been insufficient to affect seriously the course of trade ; it was pointed out, for example, that on pianos the 10 per cent. additional *ad valorem* duty on foreign goods had very little effect, at least as regards the better class of instruments, firstly because people who wished to have a good piano were not deterred by an extra 10 per cent. duty, and secondly because the lower freights obtainable from Hamburg to some extent neutralised the preferential rate. This latter point was urged in the case of a number of commodities—that the amount of the preference did not counterbalance the lower freights (as compared with those from the United Kingdom) obtainable from the United States and, in some cases, from the continent of Europe, *viâ* Australia, or even (in a few instances) *viâ* British ports.

In July of the present year (1907) the New Zealand Government proposed a revision of the tariff. This has since been adopted, and must have a considerable effect on British trade as a result of the additional preference granted, particularly on food commodities, drugs, chemicals, medicines, metal manufactures, electrical machinery, some leather goods, furniture, cabinet ware, and numerous miscellaneous articles. As a rule the duties of the old general tariff remain unchanged for these goods when of British origin, but an additional duty is imposed on similar goods when derived from foreign countries. Tea is henceforth to be imported free only when in packets exceeding 5 lbs. in weight. A number of articles hitherto subject to duty are to be admitted free, whatever their origin ; such are sugar, currants, raisins, some dried fruits, unground spices, and (far more important to British trade) cotton or linen piece goods, dress prints, paper hangings and certain kinds of common and plate glass. The amount of protection which the tariff gives to the New Zealand manufacturer has been reduced only in a few cases, the most important being cotton goods (which are not produced in New Zealand). On the other hand, though the protective tariff which the British manufacturer and trader has to encounter has in the main not been diminished, the new arrangement increases the advantage which he enjoys in the New Zealand market over his foreign rivals.*

(ii.) *Steamship Communication.*

The other influence of general importance in determining the share of the United Kingdom in the total import trade of New Zealand, is the fact that there is no direct steamship communication between the Continent of Europe and ports of the Dominion; and that, consequently, in most cases goods go *viâ* London (as transhipments there), the through rates from Bremen and Hamburg being generally about 4*s.* per ton higher than from London. In some cases, however, rates are the same, and in other instances even lower than from London, the British lines being said to accept the same or lower rates for continental traffic in order to diminish the possibility of lines of steamers being run direct from the Continent to New Zealand. A certain amount of goods goes, however, by German steamers to Australia, the goods being transhipped there for New Zealand. In addition to the regular fortnightly mail service from London to Wellington and Lyttleton, and the monthly cargo boats, there has been since 1904 a regular service of monthly steamers between New Zealand and the chief West Coast ports of the United Kingdom—Cardiff, Bristol, Liverpool, Manchester, and Glasgow. This was established by a contract between the New Zealand Government and the African Steamship Company, in order to facilitate the shipment of New Zealand produce (particularly frozen meat) to the United Kingdom. Efforts are also being made to develope regular steamship communication between New Zealand and all other British Possessions; notably, in 1906, a contract was entered into between the Canadian Government and the New Zealand Government on the one hand and a steamship company on the other to provide, for a period of one year, a two-monthly cargo service between New Zealand ports and the Western ports of Canada. There is a strong desire throughout New Zealand to develop the inter-Colonial service still further. There is also a service between New Zealand and South African ports, but it is direct (*i.e.*, without calling at Australian ports) only when full cargoes offer from the Dominion. There is no regular service from the United States at present, but there are frequent sailings from that country, and occasionally United States traders combine to charter a vessel to carry goods to the Dominion.

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* The full tariff, and a comparison with the old rates of duty, are contained in the *Supplement to the Board of Trade Journal* for November 21st, 1907, (*price 3d.*).

New Zealand Manufactures.

Before examining the import trade in detail, there is one other matter of some importance at present, and possibly of much greater importance in the future, to be taken into account. The manufacturers of the United Kingdom have to consider not only the nature and extent of the competition which they encounter with foreign countries, and its probable developments, but also the competition which arises from the Dominion itself; and there are a number of cases in which the imports into New Zealand of manufactured goods represent only a small part of the total consumption of such goods within the Dominion. The policy of encouraging industrial enterprise has been vigorously pursued by the New Zealand Government, both in its tariff legislation and in other ways since the Atkinson Tariff Act of 1888. Details showing the development of industrial enterprise in New Zealand are given in Appendix No. 3, in which Table A. gives a summary of the principal facts with regard to the growth of industry in the Dominion from 1886 to 1906; and Table B. sets out the development of the chief industries as shown by the Censuses of 1896, 1901, and 1906, the statistics relating in each case to the previous year. Appendix No. 4 shows the output in New Zealand of the principal commodities manufactured there in 1905, and the percentages of the total consumption of such commodities in New Zealand supplied by home industries and by the United Kingdom, other British Possessions and Foreign Countries respectively. From this table it will be seen that in such food commodities as beer, aerated waters, and biscuits, practically the whole of the demand is supplied from within the Dominion, and the same is true in only a slightly less degree of jam and confectionery. Other domestic requirements mainly supplied by home industry are, furniture (86·4 per cent.), blankets (80·2 per cent.), soap (69·3 per cent.), clothes (65·7 per cent.), and boots and shoes (64·4 per cent.). United Kingdom and foreign manufacturers supplied in 1906 less than one-tenth of the tinware required in the Dominion, and less than two-fifths of the agricultural machinery, whilst the New Zealand manufacturers have the greater part of the trade also in saddlery and harness, cordage, rope, and twine, fire-bricks and cement, and nearly half of the supply of candles. These are practically all industries which would naturally be the first to develop in an agricultural country such as New

Zealand. In regard to all these commodities it appears to be clear that a continually growing share of the trade will be taken by the New Zealand manufacturers, and that, consequently, British manufacturers cannot look for any particular expansion of the exports of these kinds from the United Kingdom to the Dominion. In this connection it is of interest to set out certain resolutions adopted by the Joint Committee of the Canterbury Industrial Association, and the Trades and Labour Council, appointed to consider the question of the promotion and encouragement of New Zealand manufactures and productions in May, 1905, as they illustrate the nature and strength of the movement for a national industrial policy.

> "The Committee beg to report that, after having carefully gone through the evidence taken by them . . . they have unanimously come to the conclusion :—
>
> "1. That our local industries and productions in some instances are not keeping pace with the general increase of trade in the Colony, and that this is caused by greater importations and cutting of prices by importers, and that the cheap labour in Foreign Countries in many branches enables the importer to undersell the local manufacturer.
>
> "2. That the tariff should be amended in the various directions summarised in the evidence, by taking off all duties on raw materials used by our manufacturers, which said raw material is not or is not likely to be produced in this Colony, and by an increase of duty in certain directions to meet the dumping of the surplus manufactures from other countries.
>
> "3. That the attention of the Government should be drawn to the necessity of compulsory branding all New Zealand-made goods, "Made in New Zealand." The evidence taken by the Committee was practically unanimous on this point, the only exception being that of the employers engaged in the Boot and Shoe manufacturing.
>
> "4. That the evidence taken by the Committee shows that the workers on the whole are loyal to the cause of local industry, but this cannot be said of all classes of the community.
>
> "5. That a card should be printed in an attractive form, setting forth the desirability of encouraging local manufactures and productions from a patriotic point of view, such card, with the consent of the Education Boards, to be placed in every school of the Colony, in the hope that it will educate the rising generation to take an interest in the cause of local industry. The cards might also be utilised for circulation in other directions.
>
> "6. That the aid of all trades and labour councils, unions, industrial associations, and public bodies should be elicited by circular, or otherwise, to further the objects we have in view, viz., the advancement and encouragement of our local industries and productions.
>
> "7. That this Committee strongly urges that the Government and all bodies dealing with public expenditure should be requested to give preference wherever possible to the manufactures and productions of the Colony, thus setting an example for private individuals to follow, and assisting in providing employment for the workers."

It is desirable to draw attention to these facts as evidence of the energy and persistence with which a policy of industrialisation is being carried out. But, at the same time, it will be apparent that, with the exception of clothing, woollen goods, and boots and shoes, there are no manufactures in New Zealand which compete, or appear likely to compete, seriously with the class of manufactures in which the United Kingdom is chiefly interested, and it hardly seems probable that even the combination of protective duties on manufactured goods with the free admission of raw materials can call into being industries for which New Zealand has not within itself, or close at hand, large supplies of the necessary materials, such as cotton and iron.

Foreign Competition with the United Kingdom in the New Zealand Market.

Coming now to the examination of particular branches of trade, reference may be made to the Appendix No. 5 (pages 31–69), which show in full detail the movement of trade in each class of commodities for the years 1890, 1900, and 1903–06. In the following survey it will be convenient to deal with the goods in three classes, according as they are :—

(1.) Commodities in regard to which the trade is mainly in the hands of Foreign Countries, or, in some cases, British Possessions ;

(2.) Commodities in regard to which there is a large or increasing competition from Foreign Countries or British Possessions; and

(3.) Commodities in regard to which the United Kingdom is at present predominant.

(i.) *Imports in regard to which Foreign Countries or British Possessions are predominant.*

Manufactured food commodities. Sugar.—The greater part of the sugar supply of New Zealand is derived from British Possessions, especially Fiji, the only foreign country which appears to send any large amount being Java—£60,000 in 1906. *Wine* is of course supplied chiefly by foreign countries, but there is a slowly increasing consumption of Australian wine (page 35). In regard to *tea* Ceylon has easily the first place, the consumption having risen very rapidly in the last three years. Indian teas are next in demand, and the importation of China tea has dwindled to insignificance (page 35).

Tobacco.—Manufactured tobacco, cigars, and snuff are, as is natural, furnished chiefly by the United States, though the United Kingdom has a small but increasing share of the trade.

Apparel.—Under this head there are a certain number of commodities in which the trade is taken mainly by foreign countries. Such are *cotton lace*, of which the re-exports from the United Kingdom to New Zealand rose from £17,261 in 1903 to £49,892 in 1906—the goods coming from France and Germany; certain kinds of *hosiery*, in which German goods are preferred, mainly, it appears, on account of better dyeing—a reason which is also alleged for the German monopoly of *Berlin wools*; *fabric gloves*, which come from Germany; *braids*, also from Germany, which are said to be both cheaper and in greater variety than those produced by British manufacturers; *ribbons*, in which the Coventry product has been entirely displaced by the manufactures of Basle and St. Etienne; *low-class flannels*, which come from Holland, whilst the better class trade is still held by England; *woollen dress materials of all kinds*, which are supplied chiefly by France—it is stated that similar goods are practically unprocurable from the United Kingdom—and *fancy textile fabrics*, in regard to which foreign manufacturers are said to secure the trade by reason of the greater originality and ingenuity which their goods exhibit. For *ticking of linen or linen and cotton mixed* recourse is had chiefly to Belgium. *Ivory, pearl, and fancy buttons* come mainly from Austria and from Paris, and *ordinary buttons* from Germany; Birmingham does not make the same variety of styles.

Velveteens.—For some years Germany practically controlled the market in these goods, though recently there appears to have been some improvement in the British share of the trade. It is stated that the British-made article offered considerably better value, but that the German make excelled in dye and finish, having a brighter and more glossy appearance, and this greater attractiveness secured them the market.

Denims.—These are supplied chiefly by the United States. One large import firm stated that there was no reason, so far as they knew, why Manchester should not supply the whole of the denims for the New Zealand market, but that for a long time they were compelled to purchase largely from America owing to the fact that repeated requests to Manchester manufacturers to compete were unsuccessful until a few years ago, when, for a time, they completely beat the American article. Then the Americans redoubled their efforts and recaptured the trade, and British makers, probably because of their great activity in other directions, have made no fresh attempt to recover the New Zealand market.

Hardware, etc.—Many years ago the main supply of *fencing wire, staples*, and *wire nails* was drawn from the countries of continental Europe, but in more recent years these lines have been captured by America; this is said to be due to the use of basic steel with corresponding cheapness. Wire nails have never been a prominent British manufacture. *Tools* come mainly from the United

States because, it is said, they are of newer designs, are better finished, and more suited to New Zealand requirements than the British articles, whose manufacturers persist in the old designs. Of recent years American machine-cut files have largely superseded British; they are cut in lighter lengths, are found to be keener, and if they do not last so long they cost less and are held to be cheaper in use. It is stated that the general public has often benefitted by the ingenuity in design and the improvement in quality of small hardware and tools made by American manufacturers, whose example has been followed by their competitors. As an illustration the case of *saws* was quoted, in regard to which it was asserted that American improvements have been to some extent imitated by British manufacturers who have accordingly recovered part of the trade. On the other hand *axes* and *carpenters' hammers* are specialities of the United States, and trade goes entirely to that country. America also supplies New Zealand largely with cheap, smoothly-working *door and mortice locks* which are in great use; they differ, however, so much from ordinary door locks as scarcely to be in competition with them, and the British attempts to make similar locks have not been a success. *Cheap cutlery* is obtained mainly from Germany, and this is ascribed to the indifference of the British manufacturer to the trade in cheap, low-class goods.

Agricultural Machinery and Implements.—This class of goods is admitted into New Zealand free of duty, and foreign countries (notably the United States) and Canada have monopolised the New Zealand market for *harvesting machinery*, and have secured a large share of the trade in *ploughs*, *harrows*, *cultivators*, and *drills*. The manufacturers in these countries are stated to open their own branches in the Dominion, put their own men in charge, carry large stocks at convenient centres, spend money liberally on canvassing and advertising, and give easy terms of payment. Their products are lighter and cheaper, but are thought not to be so good as the British; but this high quality of British products is in fact a disadvantage, as it involves a higher price, and the New Zealander prefers a lighter and cheaper machine. The Canadian and American manufacturers have also the advantage that the needs of New Zealand in regard to this particular class of goods are practically identical with those they have to meet in their own countries. It was however stated that, though British manufacturers were formerly conservative in their methods and in adherence to their old designs, they have recently shown a greater disposition to meet colonial requirements, but it is doubted whether it would be worth their while to make the very considerable effort that would be necessary to recover the New Zealand market, especially in view of the fact that New Zealand is now manufacturing very largely for itself. The low prices at which American harvesting machinery is offered in New Zealand caused the Dominion manufacturers to complain of unfair competition, and the New Zealand Government has by legislative enactment armed itself with powers to check such competition, should it think necessary.

Enamelled Hollow-ware.—The better class ware, such as *kettles*, *jugs*, *pans*, *etc.*, made of stamped steel, come chiefly from Austria and Germany; the *heavier articles*, made chiefly of cast-iron and white-enamelled or tinned inside, are supplied by England. The German ware is thinner and wears better than the British, and it has always been cheaper.

Wicker and Wood Manufactures.—Bent-wood furniture comes from Austria, and there is a large supply of wood-ware from the United States and Canada which have, of course, the advantage of unlimited and cheap supplies of timber.

Oils.—The supply of *kerosene* comes entirely from the United States, which also furnishes the greater part of the *turpentine* taken by New Zealand. Bengal has a practical monoply as regards *castor oil*, and in regard to *other kinds of oil* (with the exception of linseed) foreign countries—chiefly the United States—and British Possessions furnish more than three-quarters of the total import.

Manures.—The bulk of these is furnished by various British Possessions and by foreign countries. Artificial manures appear to come largely from Germany, and recently considerable quantities of super-phosphates have been imported from Japan. It is expected that the latter competition will increase, as the Japanese article has a higher percentage of phosphoric acid than the British, and can also be supplied more cheaply, as the Japanese are said to be able to land the material in New Zealand at about 10 per cent. less than is possible for the British articles.

Coal.—The import into New Zealand of this fuel is not very large, amounting in 1906 to only a little over £195,000 in value, and of this practically the whole came from New South Wales.

Miscellaneous Goods.—The trade in *leather purses, bags, and dressing cases* is said to have been "practically abandoned to the German makers"; *fancy china ornaments, cups and saucers, and cheap china* of every description is also almost entirely of German origin; *mattings* come from Japan, *bags and sacks* from Bengal, and *toys* of all descriptions from Germany and Switzerland.

(ii.) *Imports in regard to which there is a Large or Increasing Competition from Foreign Countries or British Possessions.*

Cigarettes.—This is a rapidly increasing trade, the imports having risen from £37,560 in 1900 to £73,828 in 1905, and then sharply to £105,167 in 1906. Until 1903 the whole of the imports were of United States origin, but since then the British share has rapidly increased, and in 1906 amounted to £46,559 as against £57,614 from the United States. In view, however, of the well-known arrangements between the British and American tobacco companies as to the division of the trade in their commodities, it is impossible to draw any exact conclusions from the figures just quoted.

Boots and Shoes.—The recent history of the import trade in these articles presents certain curious features. In 1900 the total imports amounted to £194,754, of which £129,464 were from the United Kingdom and only £46,807 from the United States. Then, however, came a vigorous attack on the New Zealand market by American manufacturers, aided for a time by extremely low freights, with the result that by 1903 out of the total import of £245,639 the American share had risen to £107,713, whilst the British share had declined to £118,209. Since then, however, as will be seen from the statistics in Appendix No. 5 (page 55), though the total imports have steadily progressed in value the share of the trade taken by the United States manufacturers has fallen off with great rapidity, whilst the British exporters have as rapidly recovered their ground, until in 1906 of the total import valued at £297,552, £204,030 (or more than two-thirds) are assigned to the United Kingdom and only £46,846 to the United States. The boot and shoe industry is making rapid strides in New Zealand itself, and there is a growing importation also from Australia. It is stated that in men's heavy boots (*i.e.* water-tights, bluchers and shooters) New Zealand depends entirely on colonial production as they are better than any imported goods for the kind of work for which they are used, and it is added that the boots for youths and girls produced in the Dominion are better and cheaper than similar imported goods. It is further stated that among the good qualities of the work produced by the American manufacturer, which enabled him to make for a time such rapid headway, were uniformity of quality, greater smartness, and the fact that American goods always opened in the best condition—the goods, cartons and cases being perfectly dried before packing, whereas in many cases the British shipments arrived in bad condition and were stale looking and musty. Various firms recommended the United States method of packing in 36- and 72-pair cases, packed on end. one tier only, and cases made to fit cartons, which ensures the goods opening in thoroughly good condition and is very much more expeditious in unpacking. It was agreed, however, and the statistics already quoted bear out the statement, that British manufacturers have greatly improved their methods and shown greater adaptability in the last few years as a result of the stimulus of American competition.

Wire Fencing (*both plain and barbed*).—Here the strongest competition is from the United States though there is some also from Germany. In 1904 and 1905 the imports from the United States were slightly larger than those from the United Kingdom, but they declined heavily in 1906 (vide Appendix No. 5, page 47). British wire is said to be better than either German or American, and to have a longer life, but it is considerably more expensive.

The following prices were quoted by British export firms in June, 1907 :—

	British.			German.		
	£	*s.*	*d.*	£	*s.*	*d.*
Plain wire, varnished	10	0	0	7	10	0
,, ,, galvanised	11	15	0	9	0	0
Barbed wire	13	12	6	12	0	0

the British quotations being in each case *f.o.b.* Liverpool, less 2½ per cent., and the German *f.o.b.* Antwerp, less 3 per cent. It is difficult to obtain comparative prices for the United States product, as the United States Steel Corporation will now only sell *c.i.f.* New Zealand, and it is impossible to determine how this price is divided between cost of the article and freight.

Machinery, Instruments, etc.—*Gas and oil engines* are imported largely from the United States, but here again in the last two years the British share of the trade has increased rapidly from £35,875 to £56,772, whilst the United States share in both these years was smaller than in 1903. In *sewing machines* the United States has the bulk of the trade ; and in *printing machinery* the imports from the same country rose rapidly from £2,742 in 1905 to £16,161 in 1906, whilst British imports increased only from £21,209 to £24,740. In *electrical machinery* also there is a considerable foreign competition chiefly from the United States and the Continent of Europe, but the United Kingdom is still credited with more than half of the total imports, some of its share, however, being undoubtedly also of continental origin. Under the head of "*other machinery and parts thereof*" there is also a large importation from the United States, which includes such articles as typewriters and cash registers. In *scientific instruments* rather more than half the trade is ascribed to the United Kingdom, the remainder going mainly to the United States and Germany.

Printing Paper.—The United Kingdom still supplies somewhat above one-half the imports of this commodity, but there is a rapidly growing importation from Canada, whilst the supplies from the United States have been steadily decreasing in value, and were in 1906 only half of their amount in 1903. This is one of the articles in respect of which the British Dominions have enjoyed, and will continue to enjoy, a substantial preference, as their product was admitted free under the Act of 1903, whilst foreign countries had to encounter a duty of 20 per cent. *ad valorem*—an arrangement continued under the new tariff—and it is generally agreed that this has had the effect of transferring much of the American trade to Canada.

Musical Instruments.—The trade in pianos, which has averaged £100,000 per annum for the last three years, is divided almost equally between the United Kingdom and Germany. The British article pays a duty of 20 per cent. *ad valorem*, whilst pianos from foreign countries pay 30 per cent., but as has been already remarked this difference is said to be of no importance in the case of the better class of instruments, and the lower freights obtainable from Hamburg neutralise the preferential rate on the cheaper pianos. It was stated that the through freight from Berlin to New Zealand, *viâ* Hamburg, with trans-shipment at London, is about 10*s.* per ton less than from London ; besides which German pianos are quoted *f.o.b.* Hamburg (case included), whereas pianos shipped in London have to pay dock dues amounting to about 7*s.* 6*d.* per piano in addition to the cost of the case.

Clocks and Watches.—There is a considerable competition from the United States and from Switzerland. The former country has the trade in cheap clocks, and a large proportion of the watches exported from the United Kingdom are, as is well known, really of Swiss manufacture.

Glass and Glassware.—*Window-glass* is obtained chiefly from Belgium, and the imports from that country have risen from £11,144 in 1903 to £28,233 in 1906, the increase in the last year being very marked ; various exporters stated that they now never buy window-glass in England. In *other glass*, however, the United Kingdom has a large share of the trade, the imports therefrom into the Dominion in 1906 being £35,815, an increase of £9,000 on 1905. About half the imported *glassware* comes from the United Kingdom, but there is an increasing import from Germany and Belgium. Re-exports of "glass and manufactures thereof" from the United Kingdom have fallen off rapidly between 1902 and 1906. This appears to be due, to some extent at least, to the substitution of the Germany-Australia route for the London-New Zealand route. It was asserted that the foreign goods have the advantage of lower freights, even when carried *viâ* British ports.

Miscellaneous Goods.—Other articles in which there is strong foreign competition are *furniture*, which comes largely from the United States, British Possessions (notably Canada), Germany, Austria (bent-wood chairs) and Japan; *candles*, of which there is a rapidly increasing import from Burmah—a movement ascribed to the effect of preference—whilst the imports from the United States, which were £14,482 in 1903 dropped to practically nothing two years later; *lamps and lamp-ware*, which are largely imported from the United States and Germany, though British trade has improved somewhat in the last year; and *ordinary soap*, of which £21,057 came in 1906 from New South Wales and £10,275 from the United States, as against £17,802 from the United Kingdom (more than double the amount from the last-named country in 1904).

(iii.) *Imports in regard to which the United Kingdom is predominant.*

This heading covers a multitude of commodities almost too numerous to mention. The details can be seen in the tables of Appendix No. 5, but it may be convenient to give here a list of the principal articles or groups of articles. It comprises confectionery, pickles and sauces, ale and beer, cocoa and chocolate, whisky, and non-alcoholic beverages; alkalies and potash; apparel and slops, cotton piece goods, drapery, all the better kinds of hosiery, woollen piece goods, blankets, haberdashery, linen manufactures, hats and caps; carpets and carpeting, canvas, floor cloths; cordage and twine (exclusive of iron and steel cordage); pig iron, bar, angle, bolt and rod iron, sheet and plate (not galvanised), many kinds of hardware and ironmongery, and the heavier class of hollow-ware, wire netting and other wire except for fencing purposes, plain tin plates, and pipes and fittings; railway materials; mining machinery, portable and traction engines; arms, ammunition and explosives; leather belting; stationery; paper-hangings; photographic goods; books and periodicals; china and earthenware; linseed oil, varnish, paints and colours, and dyes; bicycles, motors and parts thereof; brushware; blacking and dressing; plated ware; and cement. In regard to many of the articles comprised in this list there is a certain amount of foreign competition, but in no case is it extensive enough to appear likely to be serious, at least for some time.

General Remarks on Foreign Competition.

It will be seen from this survey that, whilst the United Kingdom has to encounter a severe competition in certain branches of the import trade into New Zealand, yet as a whole its position is not seriously menaced at present. Its two chief competitors are the United States and Germany. The competition of the former has declined somewhat in the last two years from its maximum in 1904, when it reached the total of £1,528,000, to £1,406,000 in 1906. The main commodities supplied by the United States are as follows in order of importance:—manufactured tobacco and cigars, kerosene and other oils, agricultural machinery, other machinery, gas and electrical engines, boots and shoes, wire fencing, hardware (chiefly tools), nails, leather, wood manufactures, printing paper, knitting and sewing machines, vehicles, bicycles, scientific instruments, arms and explosives, clocks and watches, fancy goods, lamps and lampware. The only other foreign competitor of importance is Germany, and the share of that country in the New Zealand trade, though still comparatively small, is undoubtedly increasing with some rapidity; the fact that the goods come either through London or Australia makes it difficult to estimate their precise amount, but, according to the New Zealand returns, the imports declared to be of German origin increased from £277,467 in 1903 to £336,960 in 1906. The principal commodities which Germany contributes are:—Pianos, fancy goods, manure, some machinery and metal manufactures, glassware, hardware, fencing wire, wire (other than fencing or netting), china and earthenware, lamps and lampware, wood manufactures, and a large variety of miscellaneous goods.

Foreign competition in manufactured goods, which the United Kingdom might supply entirely, is not then, on the whole, very extensive or severe, and it relates in many cases to articles in regard to which British manufacturers have never hitherto made any serious effort to develope their trade. The only exceptions to this general proposition appears to be agricultural machinery and implements, other machinery, boots and shoes, certain special kinds of textiles, wire fencing, and some kinds of hardware, notably tools; and in these cases, as we have seen, the success of foreign competition has been due to the greater suitability of their products to New Zealand conditions, greater attractiveness, or cheapness combined with quality. As to most of the other articles in respect of which foreign countries have a large share of the market, they may be divided into two broad classes:—

(1.) Articles in regard to which foreign manufacturers have devoted themselves to the production of cheap lines of staple goods with which, as a rule, British makers have declined to trouble themselves, or which, in some instances, they could not produce—such are watches, some leather goods, cheap glass and earthenware, wooden clocks, &c. Cheapness does not, however, always mean inferiority (of this Swiss watches furnish an example), and though in a number of cases the foreign products may be less durable than the more solid and expensive British articles, they last long enough to serve their purpose, and often present a more attractive appearance.

(2.) Miscellaneous goods to which British manufacturers have never given much attention. It is noteworthy that of the re-exports from the United Kingdom in 1906, over £177,000 worth, or over 25 per cent., were goods "not otherwise enumerated," that is, goods of many varied classes of small value separately.

It would, nevertheless, be a serious mistake to under-estimate either the extent of foreign competition, or its possibilities of expansion, and although British manufacturers may justly contemplate the present position with some satisfaction, yet they cannot afford to relax their vigilance, or be lulled into any feeling of security by a Preferential tariff. The Germans in particular are making in New Zealand, as elsewhere, strenuous efforts to extend their trade, and, handicapped though they are by the preferential treatment of British goods, and by the absence of direct steamship communication—the latter, however, an obstacle which may be removed at any time—they have yet made substantial progress, though their share of the trade is still comparatively very small. The United States competition (in goods which the United Kingdom can supply), is menacing at times, but it fluctuates a good deal, and in the case of some commodities British manufacturers appear to have learnt a lesson and to be recovering part of the lost ground, and American competition seems to have made no progress in recent years. In spite, however, of constant American rivalry, and continued German efforts, British merchants and manufacturers dominate the New Zealand market; and the fact that in the last four years they have maintained their share whilst increasing their actual amount, suggests that there are not many criticisms to be made upon their business methods. Actually very few hostile criticisms were received, and these were as a rule of a quite general character. In this connexion it is desirable to point out that British trade with New Zealand is carried on largely by New Zealand firms with buying agents in the United Kingdom, British export houses with their own retail distributing centres in the Dominion, and agents there of British houses, and in all three of these cases it is to be expected that they will be fully cognisant of the nature and needs of the market with which they have to deal. Such criticisms as were made related very largely to the unwillingness of the British manufacturers to adapt their goods to the particular conditions and desires of New Zealand, and this was generally ascribed to the fact that to them the New Zealand market was of comparatively small importance in relation to the total amount of their trade. Thus it was alleged, in some instances, that even if patterns are sent to makers, they will not be guided by them in many cases, but will continue to substitute their own. It was also asserted that "foreign manufacturers are more on the alert to bring out novel and attractive "lines, and to produce anything thus demanded, altering shapes and sizes to "suit various markets if there is any possibility of securing orders by so doing: "they will, further, wrap, box, and pack to meet customers' requirements." In another communication received it is stated that "the British manufacturer, "making for many parts of the world, is not prepared, in many cases, to take "the trouble to study the special requirements of what he looks upon as a small "market like New Zealand. The foreigner, on the other hand, goes into every "detail, first of all being informed by his Consul of much that is of great "assistance to him, afterwards sending out pioneers to study the habits of "the people in the special goods which are being purchased, and is further "prepared to take orders for small quantities in order to get a footing. The "British maker, although he may send out his agent, binds him down with "regard to quantity in a way that frequently makes it almost impossible to do "business. The foreigner, further, is quite prepared to meet his customer with "regard to the get-up of the goods, and we have known cases where he has "gone to an infinite amount of trouble to give what was required, although pro-"bably there is absolutely no profit on the first transaction." One other criticism frequently made is that the British manufacturer does not always pay sufficient attention to the fact that in a new country, in such a stage of development as New Zealand, the demand is very often for cheap goods, and that attractiveness is also a factor of considerable importance in determining the purchase, with the result that either he offers goods which, because of their quality, are too high in price for the market, or that the cheap goods, if he makes them at all, are unattractive in appearance. The foreign manufacturer, it is constantly asserted, is, on the other hand, much more willing to produce an article which does not represent such good workmanship, and is not so lasting, but which is cheap and looks well, and in many cases he thereby gets trade. The good quality of the British manufacturer is therefore in some cases an actual obstacle to the expansion of the trade in his products. There are a few cases, however, in which this consideration of cheapness does not come into account, the determining factor being quality; but they are very few, and almost the only instances which can be adduced are tools, some woollen goods, such as dress materials and under-wear, electrical machinery and appliances, some hardware, ribbons and muslins, and fancy goods.

Trade Representation.

The conditions under which the import trade of New Zealand is carried on render the question of official commercial representation in that country perhaps of less importance than in some other British Possessions, but it must nevertheless be taken into account. There is extensive consular representation of foreign countries in the Dominion, and there is evidence in the cases of Germany, the United States and Belgium that the consular service is being actively used in the promotion of trade. Several instances were given in which exporters from the United Kingdom had been approached by foreign manufacturers who offered goods which they had been informed were suitable to New Zealand conditions or were likely to be taken up in that country, and explained that information as to the goods and the names of the British exporting firms had been obtained from consuls in New Zealand. The recent appointment of trade correspondents by the Board of Trade will, it is hoped and believed, be of considerable value in giving to British manufacturers who may not hitherto have had any share in the New Zealand trade an acquaintance with the wants of that country and the opportunities offered by its markets.

FREIGHTS.

There remains for notice the question of freights. It has already been pointed out that there are no regular continental lines to New Zealand, but that goods go either through London or through Australian ports. The lines sailing from the United Kingdom constitute a "ring," but there are very few complaints as to its action; most of the firms from whom communications were received considered the combination a great advantage, inasmuch as it tended to keep rates steady and uniform for all trades, and the present conditions are held to be much preferable to the old system when freights fluctuated like the prices of commodities and thereby greatly increased the difficulty of conducting business.* Such complaints as were made related rather to the fact that in some cases goods are carried from Hamburg to New Zealand, *viâ* London and with transhipment at the latter port, at lower rates than from London itself. Thus it was stated by one firm that printing machinery was shipped at the end of last year from Hamburg to Dunedin, with transhipment at London, at 39*s.* per ton (+ 10 per cent. primage), whereas at the same time and by the same steamer from London the rate for similar machinery was 40*s.* per ton (+ 10 per cent. primage), the goods from the Continent thus having the advantage of slightly over 1*s.* per ton. There was the same difference on sailcloth and canvas to Dunedin. Another instance given was coloured checks, which were shipped from Hamburg to Auckland at 46*s.* 6*d.* per ton weight or measurement at ship's option (+ 10 per cent. primage) and to Port Chalmers at 45*s.* (+ 10 per cent.), whilst the rate from London to both these ports was 55*s.* (+ 10 per cent.). In other cases the rates from Hamburg, with transhipment at London, and from London itself were identical. It is suggested, however, that this policy of the British shipping lines may be justified by the desire to discourage the establishment of direct lines from the Continent to New Zealand. Where goods are shipped from the Continent *viâ* Australia much lower freights are said to be obtainable from German steamers than from British lines. The following table gives some comparison of rates from London and from Hamburg or Antwerp:—

Article.	From London.	From Hamburg or Antwerp.
Crockery, Earthenware, Hollow-ware, and Glassware.	35*s.* plus 5 per cent., less 2*s.* 6*d.* rebate	29*s.* plus 5 per cent.
Pianos	40*s.* „ „	32*s.* 6*d.* (through from Berlin).
Lamp Chimneys	35*s.* „ „	25*s.*
Fancy Goods	55*s.* 3*d.* „ „	46*s.* 6*d.*
Hardware	40*s.* „ „	40*s.*
Bentwood Furniture ...	34*s.* 3*d.* „ „	29*s.* 6*d.*

Rates obtainable from the United States to New Zealand are often extremely low. Thus in the report of the New Zealand Minister of Industries and Commerce for 1905 it was stated that New York freights had ruled at about 12*s.* 6*d.* per ton for all classes of cargo, while rates on similar goods from London to the colony ranged from 25*s.* to 60*s.* per ton. The rate quoted for rubber shoes from London in July of this year was 50*s.* per ton, from New York 37*s.* 6*d.*; and the rate for hardware 37*s.* 6*d.* from London and 32*s.* 6*d.* from New York. It must be pointed out, however, that there are no regular lines from the United States to New Zealand other than the mail line from San Francisco, and that although sailings are fairly frequent American manufacturers do not possess those advantages of regular despatches and fixed rates which the British exporter enjoys. It has been suggested also that the low price of the freights is due largely to the fact that only thus can full cargoes be obtained at all. On the whole, as already stated, there does not appear to be any feeling among British exporters that the rates from the United Kingdom are unduly high, or that the service which is provided is in any way inadequate.

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* This matter has been a subject of enquiry by the Royal Commission on Shipping Rings, which has not yet reported.

Summary and Conclusions.

From the survey which has now been taken of the conditions prevalent in the New Zealand trade, the following conclusions may be drawn :—

> The Dominion of New Zealand presents a market which, though small in comparison with Canada, Australia, or South Africa, is yet considerable, is steadily expanding, and presents great possibilities for the future. In that market British merchants and manufacturers have by far the greatest share, and although that share did decline slowly for some years, the downward movement appears to have been checked since 1902.
>
> This improvement is undoubtedly due in part to the greater energy displayed by British manufacturers and traders, who have succeeded in some instances in recovering ground which they had lost ; and to some extent also to the effect of the preferential arrangements made in 1903. It may be noted that whilst the new tariff of New Zealand does not, except in a few cases, lower the barriers against imports from the United Kingdom and British Possessions, it increases the advantage which British traders enjoy over against their foreign rivals.
>
> Nevertheless there is considerable and active foreign competition from the United States, Germany, France, and Belgium, and evidence of active efforts on the part of those countries to promote their trade with the Dominion. There are a few classes of goods which the United Kingdom might supply in which the trade is held almost entirely by foreign countries, but with the exception of certain goods for which the countries named have acquired a special reputation, such as agricultural and some other machinery, tools and a few other metal manufactures from the United States, dress goods and some articles of apparel from France and Germany, and glass from Belgium, the goods obtained from foreign countries are in the main either cheap lines with which British manufacturers—rightly or wrongly—have not cared to trouble themselves, or miscellaneous articles and fancy goods of many kinds which have never been important in British trade.
>
> It appears then that, with the exception of reasonable vigilance and attention to the desires and perhaps the prejudices of the consumers, there is no reason why British traders should not maintain and even improve their position in the New Zealand market.

APPENDIX I

Summary Table showing the Value of Imports into the Dominion of New Zealand during the Years 1896 and 1906 (arranged according to Groups of Principal Articles) from the United Kingdom, Australian States, other British Possessions, the United States of America, Germany, and other Foreign Countries.

APPENDIX I.

Summary Table showing the Value of Imports into the Dominion of New Articles) from the United Kingdom, Australian Commonwealth, Other British

Groups of Principal Articles Imported.	Value of Imports into the							
	United Kingdom.		Australian Commonwealth.		Other British Possessions.		Total British Empire.	
	1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.
	£	£	£	£	£	£	£	£
Apparel and Slops	348,432	620,341	7,064	28,373	498	1,749	355,994	650,463
Boots and Shoes	118,054	205,335	3,712	27,959	120	16,407	121,886	249,701
Cotton Piece Goods	421,678	573,145	7,461	10,555	2,305	8,682	431,444	592,382
Drapery	328,540	520,307	6,659	19,007	250	1,002	335,449	540,316
Haberdashery	59,634	110,072	6,943	4,568	18	36	66,595	114,676
Hats and Caps	57,190	88,970	520	2,325	—	19	57,710	91,314
Hosiery	80,054	156,615	2,006	1,123	—	39	82,060	157,777
Linen Manufactures	56,387	69,451	736	1,195	73	13,637	57,196	84,283
Millinery	27,857	56,672	504	2,736	10	1	28,371	59,409
Silks	62,612	53,898	3.034	5,973	927	1,104	66,573	60,975
Woollens	249,222	444,017	3,398	28,914	14	71	252,634	473,002
Other Textile Fabrics	8,665	77,334	440	4,916	6	172	9,111	82,422
Total	1,818,325	2,976,157	42,477	137,644	4,221	42,919	1,865,023	3,156,720
Cutlery	16,453	33,643	429	1,308	—	1	16,882	34,952
Hardware and Ironmongery ...	143,599	290,497	6,977	11,667	31	979	150,607	303,143
Rails and Railway Bolts, &c. ...	26,381	242,730	1,670	765	—	—	28,051	243,495
Iron and Steel, other : Pig, Wrought, Wire, &c. ...	460,612	968,882	26,466	21,205	—	998	487,078	991,085
Machinery (including Agricultural Implements).	165,193	438,571	27,076	99,154	14,353	17,478	206,622	555,203
Nails	22,746	6,072	341	816	—	7,693	23,090	14,581
Railway Plant	3,027	82,224	4	4,263	—	86	3,031	86,573
Sewing Machines	5,062	3,293	3,637	11,620	—	164	8,699	15,077
Tools, Artificers'	30,432	64,764	980	7,032	2	167	31,414	71,963
Brass and Brass Manufactures	6,471	21,435	301	499	—	7	6,772	21,941
Tin and Tin Manufactures ...	29,195	55,784	10,767	26,812	2	6	39,964	82,602
Total	909,171	2,207,895	78,651	185,141	14,388	27,579	1,002,210	2,420,615
Sugar	1,534	429	162,678	80,254	237,570	305,778	401,782	386,461
Tea	1,713	558	42,369	25,654	121,792	202,599	165,874	228,811
Total	3,247	987	205,047	105,908	359,362	508,377	567,656	615,272
Beer	31,332	43,465	2,143	1,293	—	—	33,475	44,758
Spirits*	129,467	243,464	16,160	22,738	1,252	984	146,879	267,186
Tobacco	20,533	80,049	17,625	72,879	534	894	38,692	153,822
Wine	19,752	30,925	14,836	24,007	—	18	34,588	54,950
Total	201,084	397,903	50,764	120,917	1,786	1,896	253,634	520,716
Paper	85,274	152,515	5,515	6,862	1,193	36,813	91,982	196,190
Printed Books	81,383	128,872	27,864	41,844	43	253	109,290	170,969
Stationery	73,928	124,476	7,332	21,979	170	348	81,430	146,803
Total	240,585	405,863	40,711	70,685	1,406	37,414	282,702	513,962
Miscellaneous Specified Articles.								
Arms, Ammunition, and Explosives.	67,321	75,900	3,226	3,616	—	25	70,547	79,541
Automobiles, Motor Cars, Motor Cycles, and Materials for.	—	51,536	—	2,979	—	495	—	55,010
Bags and Sacks	958	348	8,579	8,042	46,388	113,089	55,925	121,479
Bicycles and Tricycles	40,396	67,525	6,814	1,107	—	1,499	47,210	70,131
Bicycle and Tricycle Fittings ...	23,210	68,723	14,349	54,251	—	1,443	37,559	124,417
Candles	31,196	32,242	546	3,523	7	12,680	31,749	48,445
Canvas	19,918	49,370	1,519	9,433	—	1,846	21,437	60,649
Carpeting and Druggeting ...	26,926	69,283	155	880	62	232	27,143	70,395
Carts, Carriages, and Materials for.	15,367	33,194	4,905	23,302	13	2,850	20,285	59,346
Cement	31,605	60,434	1,275	—	—	—	32,880	60,434
China, Earthenware, Parianware, and Porcelain.	9,885	30,024	93	455	6	43	9,984	30,522
Carried forward ...	266,782	538,579	41,341	107,588	46,476	134,202	354,719	780,369

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* Includes methylated and perfumed spirits and spirits of wine.

APPENDIX I.

ZEALAND during the Years 1896 and 1906 (arranged according to groups of Principal POSSESSIONS, the UNITED STATES of AMERICA, GERMANY, and other FOREIGN COUNTRIES.

Dominion of New Zealand from

United States of America.		Germany.		Other Foreign Countries.		Total Foreign.		Total Imports.	
1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.
£	£	£	£	£	£	£	£	£	£
7,361	15,878	1,820	4,906	5,341	13,948	14,522	34,732	370,516	685,195
4,555	47,558	1,247	1,129	297	1,746	6,099	50,433	127,985	300,134
2,337	14,965	44	1,609	848	3,392	3,229	19,966	434,673	612,348
219	1,234	564	4,253	607	3,837	1,390	9,324	336,839	549,640
693	4,491	112	1,680	1,070	232	1,878	6,403	68,473	121,079
64	492	10	94	526	2,855	600	3,441	58,310	94,755
66	349	782	2,707	76	144	924	3,200	82,984	160,977
22	18	107	101	—	80	129	199	57,325	84,482
—	—	53	6	442	41	495	47	28,866	59,456
4	1,215	37	57	3,128	33,864	3,169	35,136	69,742	96,111
—	41	1,152	3,857	794	3,086	1,946	6,984	254,580	479,986
—	53	69	578	—	1,361	69	1,992	9,180	84,414
15,324	86,294	5,997	20,977	13,129	64,586	34,450	171,857	1,899,473	3,328,577
62	1,440	256	1,308	184	46	502	2,794	17,384	37,746
26,529	56,082	4,656	11,159	521	653	31,706	67,894	182,313	371,037
130	2,288	30	662	1,381	949	1,541	3,899	29,592	247,394
9,645	60,333	1,102	25,631	4,900	10,458	15,647	96,422	502,725	1,087,507
50,675	168,654	1,494	9,918	8	34,775	52,177	213,347	258,799	768,550
4,663	31,243	1,438	4,195	3,113	2,651	9,214	38,089	32,304	52,670
31	2,109	—	730	—	—	31	2,839	3,062	89,412
7,947	19,206	6,093	5,847	1,902	149	15,942	25,202	24,641	40,279
11,897	43,352	816	2,536	259	650	12,972	46,538	44,386	118,501
26	1,388	—	146	165	51	191	1,585	6,963	23,526
463	3,722	167	605	2	71	632	4,398	40,596	87,000
112,068	389,817	16,052	62,737	12,435	50,453	140,555	503,007	1,142,765	2,923,622
497	4,745	3,670	—	16,185	60,000	20,352	64,745	422,134	451,206
—	—	—	—	986	658	986	658	166,860	229,469
497	4,745	3,670	—	17,171	60,658	21,338	65,403	588,994	680,675
342	282	1,108	633	198	53	1,648	968	35,123	45,726
346	2,517	3,052	7,340	10,371	17,030	13,769	26,887	160,648	294,073
103,605	167,198	2,242	2,091	5,306	7,343	111,213	176,632	149,905	330,454
148	68	313	1,122	5,830	8,888	6,291	10,078	40,879	65,028
104,441	170,065	6,715	11,186	21,765	33,314	132,921	214,565	386,555	735,281
23,504	28,404	1,916	11,251	175	7,743	25,595	47,398	117,577	243,588
1,794	6,319	190	162	70	29	2,054	6,540	111,344	177,509
3,487	12,894	1,157	12,419	554	2,853	5,198	28,166	86,628	174,969
28,785	47,647	3,263	23,832	799	10,625	32,847	82,104	315,549	596,066
3,330	13,945	342	1,200	358	1,752	4,030	16,897	74,577	96,438
—	10,289	—	1,942	—	12,580	—	24,811	—	79,821
—	13	36	—	—	—	36	13	55,961	121,492
11,582	1,258	69	165	57	138	11,708	1,561	58,918	71,692
3,187	2,595	—	776	—	128	3,187	3,499	40,746	127,916
—	58	1	16	80	3	81	77	31,830	48,522
2,700	—	142	114	—	—	2,842	114	24,279	60,763
62	17	—	213	289	69	351	299	27,494	70,694
7,766	7,584	—	85	—	102	7,766	7,771	28,051	67,117
—	1	—	1	—	25	—	27	32,880	60,461
—	268	577	6,930	219	1,473	796	8,671	10,780	39,193
28,627	36,028	1,167	11,442	1,003	16,270	30,797	63,740	385,516	844,109

APPENDIX I.—

SUMMARY TABLE showing the VALUE of IMPORTS into the DOMINION

Value of Imports into the

Groups of Principal Articles Imported.	United Kingdom.		Australian Commonwealth.		Other British Possessions.		Total British Empire.	
	1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.
Miscellaneous Specified Articles—continued.	£	£	£	£	£	£	£	£
Brought forward ...	266,782	538,579	41,341	107,588	46,476	134,202	354,719	780,369
Coal	2,410	142	91,728	194,999	—	—	94,138	195,141
Drugs, Chemicals, and Druggists' Wares.	112,775	194,995	12,969	64,770	109	780	125,853	260,545
Fancy Goods	69,227	103,315	5,205	16,865	993	767	75,425	120,947
Fish, preserved and potted ...	15,370	27,860	1,009	2,378	2,198	13,817	18,577	44,055
Floor-cloth and Oil-cloth ...	46,224	94,931	157	296	85	49	46,466	95,276
Fruit (including fresh, preserved, bottled, dried).	22,635	10,722	53,114	60,474	19,254	74,583	95,003	145,779
Furniture, Cabinetware, and Upholstery.	14,108	24,309	11,686	5,776	713	12,932	26,507	43,017
Glass and Glassware	46,696	86,134	13,494	31,252	—	6	60,190	117,392
Leather and Leather Manufactures.	60,392	57,065	19,146	34,669	—	497	79,538	92,231
Manures	14,166	29,772	33,583	52,117	7,036	70,986	54,785	152,875
Musical Instruments and Material for.	23,343	71,449	1,941	2,653	—	1,093	25,284	75,195
Oils	38,274	54,741	11,869	20,375	9,217	20,488	59,360	95,604
Timber	2,424	1,244	34,697	178,835	—	7,831	37,121	187,910
Total	734,826	1,295.258	332,059	773,047	86,081	338,031	1,152,966	2,406,336
Other Miscellaneous Imports, excluding Specie.	806,732	1,636,143	240,280	561,760	71,043	155,259	1,118,055	2,353,162
Total Imports, excluding Specie	4,713,970	8,920,206	989,989	1,955,102	538,287	1,111,475	6.242,246	11,986,783
Specie imported	506	83,023	100,385	820,210	—	—	100,891	903,233
TOTAL IMPORTS ...	4,714,476	9,003,229	1,090,374	2 775,312	538,287	1,111,475	6,343,137	12,890,016

continued.

OF NEW ZEALAND during the Years 1896 and 1906—*continued.*

Dominion of New Zealand from

United States of America.		Germany.		Other Foreign Countries.		Total Foreign.		Total Imports.	
1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.	1896.	1906.
£	£	£	£	£	£	£	£	£	£
28,627	36,028	1,167	11,442	1,003	16,270	30,797	63,740	385,516	844,109
—	—	—	—	—	—	—	—	94,138	195,141
5,582	17,056	1,565	6,178	2,507	32,394	9,654	55,628	135,507	316,173
1,499	9,781	6,920	30,168	5,228	9,633	13,647	49,582	89,072	170,529
11,756	5,825	200	443	121	4,285	12,077	10,553	30,654	54,608
52	42	217	884	3,038	344	3,307	1,270	49,773	96,546
8,834	63,068	1	204	41,178	71,223	50,013	134,495	145,016	280,274
4,861	10,881	3,832	4,522	2,115	20,400	10,808	35,803	37,315	78,820
2,687	7,531	3,935	16,369	2,463	34,545	9,085	58,445	69,275	175,837
5,917	26,857	1,863	1,149	644	1,098	8,424	29,104	87,962	121,335
—	26,050	781	17,489	6,876	13,424	7,657	56.963	62,442	209,838
4,071	5,003	25,645	53,467	434	547	30,150	59,017	55,434	134,212
68,149	194,432	40	760	589	432	68,778	195,624	128,138	291,228
2,716	9,521	—	72	21	82	2,737	9,675	39,858	197,585
144,751	412,075	46,166	143,147	66,217	204,677	257,134	759,899	1,410,100	3,166,235
86,974	295,138	19,518	75,081	67,396	149,333	173,888	519,552.	1,291,943	2,872,714
492,840	1,405,781	101,381	336,960	198,912	573,646	793,133	2,316,387	7,035,379	14,303,170
—	—	—	—	1,050	5,000	1,050	5,000	101,941	908,233
492,840	1,405,781	101,381	336,960	199,962	578,646	794,183	2,321,387	7,137,320	15,211,403

APPENDIX II.

UNITED KINGDOM.

EXPORTS TO NEW ZEALAND, 1897–1906.

SUMMARY TABLE showing the VALUE of each principal class of MERCHANDISE (United Kingdom Produce) exported from the UNITED KINGDOM to NEW ZEALAND during each Year from 1897 to 1906, inclusive.

(Extracted from the Annual Statements of the Trade of the United Kingdom.)

Principal and other Articles.	Value.									
	1897.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.
	£	£	£	£	£	£	£	£	£	£
Apparel	406,047	427,554	461,996	412,441	376,564	390,088	457,993	373,125	353,472	429,035
Haberdashery and Millinery ..				127,617	137,090	142,328	151,269	118,728	100,577	93,039
Arms, Ammunition, and Military and Naval Stores.	61,075	65,408	76,741	93,389	185,329	99,922	98,134	100,345	109,225	88,524
Beer and Ale	28,116	24,280	23,281	26,113	28,839	34,149	30,324	23,441	30,152	36,201
Books, Printed	81,859	77,572	94,013	90,275	97,962	100,524	110,475	120,533	116,277	125,564
Brooms and Brushes	§	§	§	15,673	11,485	10,960	12,893	13,947	15,765	17,317
Candles	26,447	21,230	22,986	29,447	38,966	36,758	34,267	30,365	32,438	26,741
Caoutchouc Manufactures	24,453	25,260	20,371	27,971	30,675	26,319	25,044	30,170	34.656	28,038
Carriages—Railway, of all sorts, and Parts thereof.	23,689	28,582	29,471	25,961	203,899	62,632	17,497	18,627	7,736	14,326
Cycles, and Parts thereof (including Motor Cycles and Parts).*	75,288	41.819	38,173	41,408	50,781	58,591	92,632	97,668	123,188	131,932
All other sorts, and Parts thereof.	14,300	12,462	12,930	20,502	22,399	28,418	25,179	33,060	43,235	93,888
Cement	26,557	23,075	25,463	25,320	35,149	33,421	51,343	40,458	44,545	36,957
Chemicals and Chemical Preparations:										
Soda Compounds (Alkali prior to 1901).	10.568	10,327	9,875	11,799	13,504	16,423	16,001	15,797	18,339	17,802
All other sorts	79,778	89,942	86,754	88,583	115,308	120,473	130,167	117,230	123,958	145,035
Chinaware and Earthenware	55,865	47,292	54,990	63,655	79,290	68,634	75,327	79,432	77,749	98,405
Cocoa or Chocolate, manufactured in the United Kingdom.	10,468	10,330	12,284	11,823	11,559	7,468	8,287	8,547	7,750	7,213
Cordage and Twine	11,825	15,530	18,166	18,992	26,134	19,167	23,693	26,370	24,362	26,781
Cottons, entered by the Yard	394,717	414,258	464,393	522,722	466,520	485,927	574,200	532,086	488,827	615,267
„ „ at Value	93,406	111,374	122,764	148,351	146,589	190,378	210,910	235,965	236,999	245,019
Electrical Goods and Apparatus:										
Telegraph and Telephone Cables and Apparatus.†	22,225	17,773	19,048	31,484	32,661	33,920	15,223	11,480	8,554	31,611
Unenumerated‡	12,762	11,775	15,993	19,093	15,108	13,566	34,263	47,105	43,451	32,551
Fish, of all sorts	§	§	9,399	9,017	14,290	13,588	13,494	13,405	15,208	17,473
Glass Manufactures	37,434	35,439	44,417	54,099	54,108	53,175	52,200	51,213	55,392	67,633
Cutlery	81,993	28,763	27,362	30,348	32.979	32,988	32,341	34,870	34,351	34,862
Hardware		54,311	61,117	68,846	67,189	71,048	72,925	83,778	86,408	102,627
Hats, of all sorts	51,050	52,652	58,130	66,243	69,756	80,520	84,422	87,531	69,662	82,174
Implements and Tools	47,665	44,747	41,857	55,038	53,707	51,168	56,361	59,201	57,081	71,056
Jewellery	§	§	§	15,169	16,828	14,740	16,282	12,618	10,513	7,423
Jute Manufactures: Piece Goods ..	28,961	27,198	33,951	45,913	51,082	44,193	46,675	42,523	37,020	42,848
Leather, Wrought and Unwrought ..	136,120	121,088	130,581	143,054	143,928	102,620	147,056	161,467	204,652	225,573
Linens, entered by the Yard	55,901	57,088	62,311	71,334	68,519	70,188	89,943	94,514	68,574	92,111
„ „ at Value	12,016	11,198	17,534	20,236	21,350	15,142	24,187	24,049	22,870	29,004
Machinery—Steam Engines	36,096	42,222	67,732	108,048	129,488	70,547	98,175	97,101	53,856	69,010
„ All other sorts	163,726	182,910	169,717	233,870	219.932	245,159	325,856	324,703	264,167	286,469
Manure	11,221	25,600	24,227	14,481	18,181	14,535	12,068	17,544	29,661	28,884
Matches	2,918	4,502	6,288	6,284	5,891	2,579	7,463	2,895	7,249	16,820
Medicines, Drugs, and Medicinal Preparations.	55,207	54,325	57,946	58,743	58,072	57,969	63,203	70,447	64,146	69,493

* The value of Motor Cycles and Parts was not included prior to 1904.
† The value of Telegraph and Telephone Wires was included prior to 1903.
‡ This heading comprised Electric Lighting Apparatus only prior to 1903.
§ Cannot be given. Included under "All other Articles."

APPENDIX II.—*continued.*

EXPORTS TO NEW ZEALAND, 1897–1906—*continued.*

Principal and other Articles.	Value.									
	1897.	1898.	1899.	1900.	1901.	1902.	1903.	1904.	1905.	1906.
	£	£	£	£	£	£	£	£	£	£
Metals—Brass, and Manufactures of ..	15,419	17,593	18,653	21,118	21,712	24,922	32,345	31,675	35,074	51,664
Copper, Wrought and Unwrought.	10,941	12,837	18,951	23,638	21,370	21,885	30,130	32,114	34,250	40,492
Iron, Wrought and Unwrought	586,965	534,942	690,327	1,007,993	743,481	918,159	917,213	937.049	1,017,682	1,295,725
Musical Instruments..	21,526	26,829	31,856	30,020	27,846	35,354	39,823	47,329	60,296	57,809
Oil-seed	18,607	14,430	16,783	27,084	40,457	44,106	39,632	34,760	25,219	34,525
Oil-cloth	56,115	56,063	62,633	71,385	77,758	82,741	92,259	98,501	86,590	104,634
Painters' Colours and Materials	70,134	69,824	68,326	90,469	85,215	83,011	87,237	92,069	89,465	111,965
Paper, of all sorts	90,293	89,285	92,507	119.799	107,580	113,496	132,894	141,970	152,485	155,453
Pickles and Vegetables preserved in Salt or Vinegar.*	53,491	51,995	59,885	31,953	37,471	29,100	24,978	27,170	30,159	665
Sauces and Condiments, unenumerated*										31,791
Confectionery, Jams, and Preserved Fruits.				29 364	28,557	34,000	42,867	41,478	42,246	48,246
Vinegar				—	—	—	—	—	4,347	4,125
Plate and Plated Wares	24,285	24,585	28,329	34,496	41,524	39,570	45,416	52,094	52,552	67,679
Provisions, unenumerated	28,124	26,082	32,464	32,563	39.933	51,705	33,760	31,324	28,904	27,853
Saddlery and Harness	25,049	28,470	32,066	45,250	52,310	38,302	46,865	42,511	41,834	37,094
Salt	6,404	4,118	8,338	9,212	4,863	7,600	12,425	9,404	11,689	9,237
Scientific Instruments	15,137	14,721	14,922	14,454	20,032	16,517	17,980	16,652	16,900	22,943
Seeds, of all sorts	36,950	47,763	36,893	34,814	34,575	39,142	45,132	38,441	42,384	53,266
Ships and Boats, New (not registered as British) with their Machinery.	Not separately recorded prior to 1899.		17,820	43,250	37,500	141,774	247,775	154,802	256 700	124,697
Silk Manufactures	15,427	18,593	21,373	22,069	25,369	20,825	23,933	26,536	26 341	22,057
Soap	8,448	11,835	14,122	9,608	10,004	9,199	11,115	12,018	14,717	14,934
Spirits, British and Irish	128,286	135,261	145,728	164,487	181,032	182,255	181,277	189,742	178,649	232,671
Stationery, other than Paper	31,623	33,569	39,303	38,396	47,164	41,566	46,565	54,294	55,107	62,820
Tobacco of all kinds	15,054	16,503	17,389	16,426	19,430	22,835	32,621	29,721	35,843	53,925
Toys and Games	Not separately recorded prior to 1900.			28,270	26,388	31,045	34,024	37,012	39,103	40,636
Umbrellas, &c.	18,580	16,847	16,603	19,150	20.487	21,152	19,000	19,642	19,087	22,879
Wood Manufactures — Furniture and Cabinet Ware.	18,733	16,951	20,429	23,144	28,712	28,460	27,963	24,359	22,767	29,493
Woollens and Worsteds, entered by the Yard.	257,123	246,273	275,392	324,343	331,690	333,045	357,828	349.712	326,272	401,581
" " " entered at Value.	75,712	65,981	75,478	86,811	94,200	106,184	101,198	119,989	131,332	150,150
Parcel Post	36,552	45,894	57,499	69,303	85,371	59,771	56,083	102,308	133,563	144,400
All other Articles	182,921	175,547	206,801	163,634	156,120	179,630	243,280	268,076	292,191	360,074
Total	4,027,652	4,020,677	4,543,131	5,485,845	5.599,272	5,677,576	6,361,390	6,315,090	6,425,793	7,400,188

* The value of Vinegar was included prior to 1905.

APPENDIX III.

NEW ZEALAND.

INDUSTRIAL DEVELOPMENT OF THE DOMINION OF NEW ZEALAND.

TABLE A.

SUMMARY STATEMENT showing the principal facts with regard to the INDUSTRIAL DEVELOPMENT of the DOMINION of NEW ZEALAND, according to the CENSUS RETURNS for 1886, 1891, 1896, 1901, and 1906.

—	1886.	1891.	1896.	1901.	1906.
Number of Establishments	1,946	2,254	2,459	3,163	3,495
Number of Hands Employed :					
Males	19,601	22,664	22,986	35,438	43,553
Females	2,494	2,969	4,403	6,288	6,253
Total	22,095	25,633	27,389	41,726	49,806
Wages Paid :	£	£	£	£	£
To males	Not obtained	1,705,641	1,776,076	2,895,279	3,842,806
To females		102,999	131,516	203,282	260,730
Total	—	1,808,640	1,907,592	3,098,561	4,103,536
	H.-P.	H.-P.	H.-P.	H.-P.	H.-P.
Horse-power used	15,491	21,696	28,096	39,052	60,278
	£	£	£	£	£
Total approximate value of land, buildings, machinery, and plant.	5,096,930	5,261,826	5,796,017	7,959,631	11,804,013
Value of materials operated upon ..	Not obtained.		3,285,247	7,399,698	12,681,358
Value of output (including repairs) ...	6,711,379	8,773,837	9,549,360	17,141,149	22,422,736

Note.—Particulars as to the tailoring, dressmaking, shirtmaking, and monumental masonry trades were not collected prior to 1901, and the relative details have consequently been excluded in order to secure uniformity.

The mining, quarrying, and fishing industries do not come within the scope of the census.

Owing to changes in the definition of a factory, the figures for 1886, 1891, and 1896 are not strictly comparable with those for 1901 and 1906.

APPENDIX III.—*continued.*

TABLE B.

DETAILED TABLE showing the principal facts relating to the DEVELOPMENT of CERTAIN SPECIFIED INDUSTRIES according to the CENSUS RETURNS for 1896, 1901, and 1906.

[NOTE.—The particulars for 1906 are provisional.]

—	(1.) Iron and Brass Foundries, Boiler and Range-making, with Engineering.			(2.) Spouting and Ridging Factories.			(3.) Agricultural Implement Factories.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	90	111	143	9	35	16	34	33	29
Number of Hands employed	1,642	3,590	3,936	90	261	159	581	586	793
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	129,763	307,209	335,519	5,758	20,584	16,078	44,581	53,941	79,042
Approximate Value of land, buildings, machinery, and plant.	252,135	394,282	568,237	19,729	52,687	30.245	71,267	61,339	95,167
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	100.273	446,507	419,426	16,351	70,643	51,954	26,904	49,072	91,043
Total Value of Manufactures (including repairs).	302,815	924,171	877,834	23,762	112,691	73,756	102,054	138,094	199,741

	(4.) Tinware Factories.			(5.) Cycle Factories.			(6.) Clothing and Waterproof Factories.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	34	60	54	19	71	97	31	27	23
Number of Hands employed	289	337	473	125	395	452	2,151	2,626	1,914
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	19,742	23,143	36,467	5,952	21,443	30,831	77,123	105,430	105,561
Approximate Value of land, buildings, machinery, and plant.	25,849	56,914	80,270	24,831	65,403	83,666	62,020	97,092	90,641
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	32,835	52,553	68,802	7,696	26,824	37,092	—	184,113	154,655
Total Value of Manufactures (including repairs).	63,723	98,587	127,150	18,817	65,047	75,991	280,706	342,404	308,943

	(7.) Tailoring Establishments.			(8.) Dressmaking and Millinery Establishments.			(9.) Shirt-making Establishments.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	—	175	308	—	290	338	—	25	22
Number of Hands employed	—	1,621	2,997	—	2,888	3,039	—	531	399
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	—	102,946	215,087	—	78,506	113,366	—	15,562	14,955
Approximate Value of land, buildings, machinery, and plant.	—	211,016	372,026	—	193,998	269,000	—	26,528	31,680
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	—	122,853	244,191	—	173,211	181,201	—	45,319	41,362
Total Value of Manufactures (including repairs).	—	301,356	578,416	—	312,436	331,268	—	75,879	75,832

	(10.) Hat and Cap Factories.			(11.) Woollen Mills.			(12.) Hosiery Factories.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	15	13	16	9	10	10	7	17	10
Number of Hands employed	72	117	237	1,416	1,693	1,549	133	282	374
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	3,554	5,389	16,380	91,619	112,001	105,036	2.511	8,030	21,960
Approximate Value of land, buildings, machinery, and plant.	10,560	19.217	47,010	223,473	277,422	307,759	4,565	19,997	36,697
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	4,458	11.463	19,817	139,317	196,081	206,847	2 610	18,032	42,052
Total Value of Manufactures (including repairs).	10.902	25,641	38,369	302,423	359,382	397,348	9,357	31.265	67,588

APPENDIX III.—*continued.*

TABLE B—*continued.*

	(13.) Rope and Twine Works.			(14.) Boot and Shoe Factories.			(15.) Saddlery and Harness.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	24	17	10	65	126	72	23	115	106
Number of Hands employed	150	192	195	2,349	2,696	2,206	266	652	544
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	6,840	13,136	13,964	137,224	192,443	171,495	15,904	41,834	42,213
Approximate Value of land, buildings, machinery, and plant.	40,961	55,309	70,095	110,035	176,992	153,991	34,559	96,559	108,674
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	8,999	17,715	33,610	176,838	273,325	269,664	30,194	75,724	72,662
Total Value of Manufactures (including repairs).	52,400	87.863	100,753	357,806	529,254	501,065	63,735	147,626	140,813

	(16.) Breweries.			(17.) Aerated Water and Cordial Factories.			(18.) Biscuit Factories.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	85	74	72	132	125	123	17	20	12
Number of Hands employed	465	682	731	347	452	586	425	667	587
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	57,327	83,570	92,308	21,445	32,055	49,617	20,156	38,776	33,881
Approximate Value of land, buildings, machinery, and plant.	230,416	294,592	334,931	89,344	105,178	166,470	58,866	90,243	121,366
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	125,706	158,212	187,799	40,007	63,835	71,371	85,280	117.383	110,396
Total Value of Manufactures (including repairs).	336,734	553,627	572,579.	93,609	151,811	189,561	118,979	197,989	225,476

	(19.) Confectionery Works and Sugar-boiling.			(20.) Furniture and Cabinet-making Factories.			(21.) Soap and Candle Works.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	12	26	36	71	144	172	22	24	19
Number of Hands employed	69	305	571	496	1,310	1,528	190	232	238
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	2,814	14,728	29.410	34,044	91,105	134,584	16.903	19,248	21,853
Approximate Value of land, buildings, machinery, and plant.	8,925	56,955	83,752	84,673	170,338	239,375	58,826	66,809	68,566
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	14,887	47,150	89,055	25,080	101,595	157,484	98,194	112,623	119,260
Total Value of Manufactures (including repairs).	33,235	88,580	138,635	85,327	241,024	328,185	152,298	158,649	178,556

	(22.) Chemical Works.			(23.) Brick, Tile, and Pottery Works.			(24.) Lime and Cement Works.		
	1896.	1901.	1906.	1896.	1901.	1906.	1896.	1901.	1906.
Number of Works	7	8	17	108	108	125	14	15	20
Number of Hands employed	114	95	178	455	838	1,254	79	184	280
	£	£	£	£	£	£	£	£	£
Amount of Wages paid	9,166	8,055	12,476	28,229	63,336	99,246	5,560	16,577	34,249
Approximate Value of land, buildings, machinery, and plant.	44,471	37,793	86,181	76,585	114,567	273,831	22,419	38,436	116,746
	1895.	1900.	1905.	1895.	1900.	1905.	1895.	1900.	1905.
	£	£	£	£	£	£	£	£	£
Value of Materials used	47,721	42,479	56,308	—	—	—	4,631	18,397	36,251
Total Value of Manufactures (including repairs).	75,320	64,834	95,390	66,140	122,230	216,550	15,881	45,142	107,675

APPENDIX IV.

STATEMENT showing the OUTPUT and CONSUMPTION of the UNDERMENTIONED CLASSES of MERCHANDISE in NEW ZEALAND during the year 1905, so far as the INFORMATION is available, and further showing the extent to which the GOODS CONSUMED were obtained from NEW ZEALAND, from the UNITED KINGDOM, from other BRITISH POSSESSIONS, or from FOREIGN COUNTRIES.

Industry and Products.	Output.	Products Exported.	Products retained for Home Consumption.	Imports of similar articles from			Total Consumption.	Proportion of Goods consumed which were derived from			
				United Kingdom.	British Possessions.	Foreign Countries.		N.Z.	U.K.	B.P.	F.C.
	£	£	£	£	£	£	£	Per cent.			
HAT AND CAP :											
Hats and Caps	38,369	38	38,331	79,239	1,964	1,914	136,681				
Hatters' materials				11,023	3,027	1,183					
Total	38,369	38	38,331	90,262	4,991	3,097	136,681	28·0	66·0	3·7	2·3
METAL-WORKING	1,378,931	20,578	1,358,353	1,867,732	195,563	539,374	3,961,022	34·3	47·2	4·9	13·6
AGRICULTURAL MACHINERY AND IMPLEMENTS :											
Ploughs and Harrows	199,741	3,562	196,179	4,469	1,132	3,490	306,693				
Other sorts				26,055	21,760	53,608					
Total	199,741	3,562	196,179	30,524	22,892	57,098	306,693	63·9	9·9	7·4	18·6
TINWARE	127,150	193	126,957	10,915	572	1,792	140,236	90·5	7·8	0·4	1·3
CYCLE MAKING :											
Bicycles and Tricycles (complete) ..	75,991	168	75,823	64,507	3,402	2,519	266,791				
Materials for : Mainly in the rough				29,008	38,360	1,402					
Other				44,156	2,276	5,338					
Total	75,991	168	75,823	137,671	44,038	9,259	266,791	28·4	51·6	16·5	3·5
CLOTHING :											
Waterproof and other clothing factories	308,943	2,817	1,291,642	566,533	21,914	26,268	1,964,645				
Tailoring establishments	578,416										
Dressmaking and Millinery establishments.	331,268			57,599	688	1					
Shirtmaking factories	75,832			Not separately stated							
Total	1,294,459	2,817	1,291,642	624,132	22,602	26,269	1,964,645	65·7	31·8	1·2	1·3
BOOT AND SHOE :											
Boots and Shoes	501,065	333	500,732	179,319	23,679	60,525	777,323				
Boot and Shoe vamps, uppers and laces				7,766	2,188	3,114					
Total	501,065	333	500,732	187,085	25,867	63,639	777,323	64·4	24·1	3·3	8·2
SADDLERY AND HARNESS MAKING :											
Saddlery and Harness	140,813	551	140,262	26,910	1,034	1,981	196,651				
Saddlers' ironmongery and materials ..				25,553	137	774					
Total	140,813	551	140,262	52,463	1,171	2,755	196,651	71·3	26·6	0·6	1·4
WOOLLEN AND HOSIERY :											
Woollen mills :											
Woollen piece goods	*282,000	3,073	456,873	381,071	21,076	4,399	1,039,723				
Blankets	*33,000	799		4,957	7	17					
Rugs and shawls	*6,000	3,027		15,944	456	906					
Yarns	*22,000	203		9,306	102	239					
Hosiery	*64,000	1,025		141,168	763	2,439					
Hosiery factories : Hosiery and knitted goods	68,000										
	465,000	8,127	456,873	552,446	22,404	8,000	1,039,723	43·9	53·1	2·2	0·8
	Yds.	Yds.	Yds.	Yds.	Yds.	Yds.	Yds.				
Woollens and Worsteds	*1,300,471*	—	—	*946,700*	Cannot be given.						
Flannel and woollen shirtings	*1,472,720*	—	—	*1,547,300*							
	Pairs.	Pairs.	Pairs.	Pairs.	Pairs.	Pairs.	Pairs.				
Blankets	*59,572*	*833*	*58,739*	*14,319*	*12*	*131*	*73,201*	*80·2*	*19·6*	—	*0·2*

* Partly estimated.

APPENDIX IV.—*continued.*

STATEMENT showing the OUTPUT and CONSUMPTION of the UNDERMENTIONED CLASSES of MERCHANDISE in NEW ZEALAND during the year 1905—*continued.*

Industry and Products.	Output.	Products Exported.	Products retained for Home Consumption.	Imports of similar articles from			Total Consumption.	Proportion of Goods consumed which were derived from			
				United Kingdom.	British Possessions.	Foreign Countries.		N.Z.	U.K.	B.P.	F.C.
ROPE AND TWINE:	£	£	£	£	£	£	£	Per cent.			
Cordage	100,753	7,582	93,171	11,813	1,694	1,416	128,085				
Twine—Binder				1,835	134	—					
Other				16,015	148	664					
Nets and Netting				1,154	25	16					
Total	100,753	7,582	93,171	30,817	2,001	2,096	128,085	72·7	24·1	1·6	1·6
	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.	Cwts.				
Cordage (except of Iron and Steel)	*12,360*	*3,757*	*8,603*	*3,966*	*703*	*315*	*13,587*	*63·3*	*29·2*	*5·2*	*2·3*
FRUIT PRESERVING AND BOTTLING:	£	£	£	£	£	£	£				
Fruit bottled and preserved	9,537	511	9,026	444	9,535	18,994	42,298				
Pulp and partially preserved fruit				27	212	259					
Lemon and orange peel in brine				53	223	3,279					
Peel, candied and dried				187	2	57					
Total	9,537	511	9,026	711	9,972	22,589	42,298	21·3	1·7	23·6	53·4
JAM AND OTHER PRESERVE MAKING:											
Jam	83,520	196	83,324	5,337	2,178	461	91,300				
Other Preserves	4,975	—	4,975	4,203	183	15	9,376				
Total	88,495	196	88,299	9,540	2,361	476	100,676	87·7	9·5	2·3	0·5
CONFECTIONERY:											
Chocolate	185,064	350	184,714	23,319	829	2,941	228,371				
Other Confectionery				12,746	1,520	2,302					
Total	185,604	350	184,714	36,065	2,349	5,243	228,371	80·9	15·8	1·0	2·3
Biscuit Making:	Lbs.	Lbs.	Lbs.	Lbs	Lbs.	Lbs.	Lbs.				
Ship's, Plain	*9,257,920*	*612,976*	*8,628,916*	*2,352*	*4,480*	—	*8,724,867*				
Fancy and other kinds		*16,028*		*73,110*	*14,329*	*1,680*					
Total	*9,257,920*	*629,004*	*8,628,916*	*75,462*	*18,809*	*1,680*	*8,724,867*	*98·8*	*0·9*	*0·2*	*0·1*
Brewing:	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.				
Beer	*7,634,362*	*10,723*	*7,623,639*	*205,940*	*5,111*	*4,775*	*7,839,465*	*97·2*	*2·6*	*0·1*	*0·1*
	Dozens.	Dozens.	Dozens.	Dozens.	Dozens.	Dozens.	Dozens.				
Aerated Waters	*2,220,174*	*1,398*	*2,218,776*	*12,097*	*2,038*	*5,150*	*2,238,061*	*99·1*	*0·6*	*0·1*	*0·2*
BRICK, TILE, AND POTTERY:	£	£	£	£	£	£	£				
China, Porcelain, and Parian	52,193	137	52,056	26,677	407	8,148	151,244				
Earthenware				56,537	3,261	4,158					
Total	52,193	137	52,056	83,214	3,668	12,306	151,244	34·4	55·0	2·4	8·2
	No.	No.	No.	No.	No.	No.	No.				
Firebricks	*774,281*	*4,400*	*769,881*	*219,832*	*31,548*	*57,524*	*1,078,785*	*71·4*	*20·4*	*2·9*	*5·3*
LIME AND CEMENT:	£	£	£	£	£	£	£				
Cement	107,675	72	107,603	69,954	18	23	179,996				
Plaster of Paris				468	248	1,682					
Total	107,675	72	107,603	70,422	266	1,705	179,996	59·8	39·1	0·1	1·0
SOAP AND CANDLE:											
(*a*) Soap making:	£	£	£	£	£	£	£				
Soap powder, &c.	107,012	6,925	100,087	6,511	372	708	144,521				
Other Soap				9,712	19,482	7,649					
Total	107,012	6,925	100,087	16,223	19,854	8,357	144,521	69·3	11·2	13·7	5·8
(*b*) Candle making:	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.				
Candles	*1,930,544*	—	*1,930,544*	*1,976,425*	*438,336*	*747*	*4,346,052*	*44·4*	*45·5*	*10·1*	—
	£	£	£	£	£	£	£				
FURNITURE	328,185	1,064	327,121	20,494	6,911	24,278	378,804	86·4	5·4	1·8	6·4

APPENDIX V.

DETAILED TABLES showing the VALUE of each PRINCIPAL ARTICLE imported into NEW ZEALAND in each of the Years 1890, 1900, 1903, 1904, 1905, and 1906, distinguishing the Principal Sources of Supply so far as the Information is available.

CLASS I.—FOOD STUFFS.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	RICE.					
	£	£	£	£	£	£
United Kingdom	215	16	17	27	14	34
British Possessions:						
Victoria	15,729	7,659	6,973	9,643	9,400	15,858
New South Wales	6,754	3,656	5,780	5,039	5,778	14,039
Bengal	4,078	2,813	1,995	2,787	1,533	2,056
Hong Kong	3,550	3,794	5,658	4,432	4,637	4,557
Other British Possessions*	586	5,137	4,704	6,735	6,315	6,847
Total British Possessions	30,697	23,059	25,110	28,636	27,663	43,357
Foreign Countries:						
China	619	—	100	885	1,140	368
Japan	2,628	17,768	23,025	17,591	23,432	8,685
Other Foreign Countries	—	—	7	—	4	—
Total Foreign Countries	3,247	17,768	23,132	18,476	24,576	9,053
TOTAL IMPORTS	34,159	40,843	48,259	47,139	52,253	52,444
	FISH, PRESERVED IN TINS.					
United Kingdom	11,292	14,049	23,210	25,026	21,568	25,678
British Possessions:						
Victoria	1,034	298	317	432	1,348	1,246
New South Wales	529	3,565	1,358	1,671	1,522	1,105
British Columbia	—	3,500	4,983	15,086	14,496	12,442
Other British Possessions	53	120	213	947	713	585
Total British Possessions	1,616	7,483	6,871	18,136	18,079	15,378
Foreign Countries:						
United States	11,367	6,272	17,635	9,250	4,726	5,100
Other Foreign Countries	38	969	942	1,004	3,197	4,688
Total Foreign Countries	11,405	7,241	18,577	10,254	7,923	9,788
TOTAL IMPORTS	24,313	28,773	48,658	53,416	47,570	50,844
	POTATOES, INCLUDING SEED POTATOES.					
United Kingdom	10	8	7	63	163	648
British Possessions:						
Victoria	—	8	421	154	4,604	65,361
New South Wales	—	22	49	182	4,217	14,436
Tasmania	—	—	3	51	4,957	11,769
Other British Possessions	13	—	—	1	22	1,258
Total British Possessions	13	30	473	388	13,800	92,824
Foreign Countries:						
United States	2	—	10	—	7,131	3,559
South Sea Islands	—	—	—	—	—	3
Total Foreign Countries	2	—	10	—	7,131	3,562
TOTAL IMPORTS	25	38	490	451	21,094	97,034

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* Practically all from Singapore.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	FRUITS, DRIED: CURRANTS AND RAISINS.					
	£	£	£	£	£	£
United Kingdom	29,621	17,896	3,406	3,311	8,243	3,900
British Possessions:						
Victoria	9,735	11,624	7,413	8,357	4,121	2,664
New South Wales	1,947	10,344	3,743	3,306	1,197	3,659
Other British Possessions	5	8	793	80	357	—
Total British Possessions	11,687	21,976	11,949	11,743	5,675	6,323
Foreign Countries:						
Greece	1,538	15,533	20,753	13,303	15,738	20,390
Asia Minor...	309	18,697	17,827	13,385	13,756	19,259
United States	476	3,475	13,822	11,215	12,937	17,026
Other Foreign Countries	1,478	1,774	3,080	152	2,780	2,155
Total Foreign Countries	3,801	39,479	55,482	38,055	45,211	58,830
TOTAL IMPORTS	45,109	79,351	70,837	53,109	59,129	69,053
	FRUITS, FRESH: BANANAS, APPLES, ORANGES, AND OTHER.					
United Kingdom	—	—	58	—	5	—
British Possessions:						
Victoria	4,138	11,461	11,942	10,140	12,630	9,671
New South Wales	16,810	27,305	36,062	36,077	41,678	35,811
Tasmania	7,692	5,954	3,497	8,082	14,508	5,359
Fiji	11,773	34,087	48,147	35,546	43,123	69,895
Other British Possessions	78	86	58	239	318	246
Total British Possessions	40,491	78,893	99,706	90,084	112,257	120,982
Foreign Countries:						
United States	700	3,338	4,098	8,445	13,335	18,170
Italy	35	773	1,404	1,155	980	1,045
South Seas	11,067	33,463	10,821	20,024	29,323	16,407
Other Foreign Countries	—	2	—	—	—	—
Total Foreign Countries	11,802	37,576	16,323	29,624	43,638	35,622
TOTAL IMPORTS	52,293	116,469	116,087	119,708	155,900	156,604
	SUGAR, INCLUDING MOLASSES, SYRUP, AND GLUCOSE.					
United Kingdom	18,354	902	1,223	826	532	429
British Possessions:						
Victoria	24,235	14,001	20,978	14,576	5,546	5,707
New South Wales	26,670	17,385	1,756	7,351	2,403	73,899
Queensland	31,448	88,858	533	145	149	648
Fiji	122,625	328,298	411,725	477,860	412,190	305,774
Other British Possessions	*100,731	168	611	51	23	4
Total British Possessions	305,709	448,710	435,603	499,983	420,311	386,032
Foreign Countries:						
United States	12,948	1,036	4,436	4,002	3,689	4,745
Germany	10,488	630	145	9	—	—
Java	36,110	—	—	—	—	60,000
Other Foreign Countries	1	268	499	—	2	—
Total Foreign Countries	59,547	1,934	5,080	4,011	3,691	64,745
TOTAL IMPORTS...	383,610	451,546	441,906	504,820	424,534	451,206

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* Principally from Mauritius.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	CONFECTIONERY.					
	£	£	£	£	£	£
United Kingdom	8,555	23,905	34,601	35,270	36,065	40,876
British Possessions :						
Victoria	50	94	289	555	430	619
New South Wales	20	597	216	499	1,852	1,406
Other British Possessions...	—	9	32	23	64	30
Total British Possessions	70	700	537	1,077	2,346	2,055
Foreign Countries :						
United States	118	2,415	3,216	2,027	2,453	3,266
Other Foreign Countries	61	223	338	1,455	2,790	5,529
Total Foreign Countries	179	2,638	3,554	3,482	5,243	8,795
TOTAL IMPORTS...	8,804	27,243	38,692	39,829	43,654	51,726
	PICKLES AND SAUCES.					
United Kingdom	10,993	9,067	11,758	10,934	10,566	9.832
Total British Possessions	773	283	193	132	170	240
Total Foreign Countries	79	17	95	82	52	99
TOTAL IMPORTS...	11,845	9,367	12,046	11,148	10,788	10,171
	SALT (INCLUDING ROCK SALT).					
United Kingdom	16,706	17,783	15,160	14,616	20,371	15,543
British Possessions :						
Victoria	764	508	161	34	362	480
New South Wales	1,055	2,883	776	681	1,362	3,499
South Australia	2,364	10,551	13,933	10,598	13,492	15,108
Other British Possessions... ...	—	—	—	—	320	37
Total British Possessions	4,183	13,942	14,870	11,313	15,536	19,124
Foreign Countries :						
Germany	194	2,926	410	207	33	196
United States	—	899	375	548	109	502
Other Foreign Countries	—	65	11	—	—	37
Total Foreign Countries	194	3,890	796	755	142	735
TOTAL IMPORTS...	21,083	35,615	30,826	26,684	36,049	35,402

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	Provisions and Food Stuffs not otherwise enumerated.					
	£	£	£	£	£	£
United Kingdom	47,546	68,864	83,965	92,168	93,977	102,044
British Possessions :						
Victoria	8,633	12,295	12,476	29,237	25,441	31,377
New South Wales	3,689	11,518	19,152	16,713	15,063	31,496
Singapore	6,286	18,743	20,385	22,222	24,772	27,801
Hong Kong	1,144	4,924	6,158	4,262	4,218	4,997
Other British Possessions	3,984	3,600	12,298	8,171	10,932	12,171
Total British Possessions	23,736	51,080	70,469	80,605	80,426	107,842
Foreign Countries :						
United States	7,664	25,302	43,618	35,263	52,206	43,711
Germany	24	169	1,613	2,221	2,216	2,152
Italy	—	1,900	5,640	3,924	7,156	6,536
Other Foreign Countries	1,405	3,780	9,876	8,250	9,943	15,299
Total Foreign Countries	9,093	31,151	60,747	49,658	71,521	67,698
TOTAL IMPORTS...	80,375	151,095	215,181	222,431	245,924	277,584

CLASS II.—DRINKS.

	Ale and Beer.					
United Kingdom	52,645	31,543	36,998	35,270	37,906	43,465
British Possessions :						
Victoria	821	333	361	239	560	615
New South Wales	272	1,427	510	555	506	672
Other British Possessions...	3	—	23	1	33	6
Total British Possessions	1,096	1,760	894	795	1,099	1,293
Foreign Countries :						
United States	33	772	400	486	464	282
Germany	564	220	315	113	410	633
Other Foreign Countries	89	—	3	118	56	34
Total Foreign Countries	686	992	718	717	930	949
TOTAL IMPORTS...	54,427	34,295	38,610	36,782	39,935	45,707
	Wine, Sparkling.					
United Kingdom	8,350	12,211	10,460	12,542	12,389	14,078
British Possessions :						
Victoria	1,252	781	665	420	350	1,206
New South Wales	7	1,102	1,850	954	2,106	1,289
Other British Possessions...	5	43	128	11	—	27
Total British Possessions	1,264	1,926	2,643	1,385	2,456	2,522
Foreign Countries :						
France	124	595	2,279	2,913	3,339	5,688
Germany	—	578	1	217	286	669
Belgium	—	917	1,634	633	530	974
Other Foreign Countries	3	2	—	269	165	189
Total Foreign Countries	127	2,092	3,914	4,032	4,320	7,520
TOTAL IMPORTS...	9,741	16,229	17,017	17,959	19,165	24,120

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	WINE—AUSTRALIAN.					
	£	£	£	£	£	£
United Kingdom	—	—	—	—	—	—
British Possessions:						
Victoria	8,235	2,039	4,157	4,290	4,904	6,545
New South Wales	2,249	4,807	3,006	2,404	2,336	3,056
South Australia	3,496	11,008	10,151	11,132	7,942	10,321
Other British Possessions	23	—	8	7	11	13
Total British Possessions	14,003	17,854	17,322	17,833	15,193	19,935
TOTAL IMPORTS	14,003	17,854	17,322	17,833	15,193	19,935
	WINE, OTHER KINDS.					
United Kingdom	21,053	15,998	16,945	16,410	13,691	16,847
British Possessions:						
Victoria	3,992	1,327	901	761	676	1,006
New South Wales	308	958	1,021	416	662	475
Other British Possessions	84	72	96	69	55	87
Total British Possessions	4,384	2,357	2,018	1,246	1,393	1,568
Foreign Countries:						
France	145	741	1,327	951	564	848
Spain	167	806	1,431	1,036	565	583
Portugal	705	576	821	916	398	461
Germany	—	255	310	206	296	453
Other Foreign Countries	229	282	369	300	560	213
Total Foreign Countries	1,246	2,660	4,258	3,409	2,383	2,558
TOTAL IMPORTS	26,683	21,015	23,221	21,065	17,467	20,973
	TEA.					
United Kingdom	1,595	740	527	980	346	558
British Possessions:						
Victoria	71,887	17,934	19,327	21,621	17,991	13,072
New South Wales	3,896	21,368	22,882	22,278	11,385	12,583
Bengal	25,808	38,496	29,967	25,775	21,427	19,364
Ceylon	16,730	120,013	130,329	166,342	171,961	182,113
Other British Possessions	1,280	1,017	1,100	493	2,622	1,122
Total British Possessions	119,601	198,828	203,605	236,509	225,386	228,253
Foreign Countries:						
China	32,860	365	97	249	669	658
Other Foreign Countries	1	1	7	—	26	—
Total Foreign Countries	32,861	366	104	249	695	658
TOTAL IMPORTS	154,057	199,934	204,236	237,738	226,427	229,469

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	Cocoa and Chocolate.					
	£	£	£	£	£	£
United Kingdom	23,614	26,361	36,455	38,822	40,543	35,845
British Possessions :						
Victoria	99	412	476	831	1,007	922
New South Wales	36	2,897	1,282	1,390	1,093	785
Other British Possessions	—	—	1	25	27	173
Total British Possessions	135	3,309	1,759	2,246	2,127	1,880
Foreign Countries :						
United States	—	188	193	732	228	67
Germany	375	262	437	118	172	51
Belgium	182	15	540	84	242	—
Holland	70	9,427	9,791	10,266	6,267	13,335
Other Foreign Countries	112	33	205	758	117	58
Total Foreign Countries	739	9,925	11,166	11,958	7,026	13,511
Total Imports	24,488	39,595	49,380	53,026	49,696	51,236
	Milk, Preserved.					
United Kingdom	10,115	12,456	18,566	13,016	7,762	6,714
British Possessions :						
Victoria	803	—	242	45	—	1
Other British Possessions	236	213	27	3	50	49
Total British Possessions	1,039	213	269	48	50	50
Foreign Countries :						
United States	105	—	22	—	3	—
Italy	—	115	—	—	—	—
Switzerland	—	—	184	647	2,783	4,263
Other Foreign Countries	—	1	24	50	993	283
Total Foreign Countries	105	116	230	697	3,779	4,546
Total Imports	11,259	12,785	19,065	13,761	11,591	11,310
	Spirits : Brandy.					
United Kingdom	37,231	19,093	25,075	16,220	18,534	18,020
British Possessions :						
Victoria	5,555	6,056	4,454	5,020	4,172	5,471
New South Wales	1,628	1,508	1,863	1,806	1,877	1,460
Other British Possessions	—	542	862	617	446	195
Total British Possessions	7,183	8,106	7,179	7,443	6,495	7,126
Foreign Countries :						
France	4,255	4,473	4,282	3,040	3,560	8,103
Germany	153	63	102	74	115	159
Other Foreign Countries	5	240	223	328	198	458
Total Foreign Countries	4,413	4,776	4,607	3,442	3,873	8,720
Total Imports	48,827	31,975	36,861	27,105	28,902	33,866

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	SPIRITS: WHISKY.					
	£	£	£	£	£	£
United Kingdom	61,675	124,599	158,580	186,067	163,983	201,354
British Possessions:						
Victoria	4,155	2,838	3,296	1,934	2,465	3,401
New South Wales	1,769	5,436	3,301	2,346	3,142	2,708
Queensland	—	140	—	86	—	—
South Australia	—	158	61	20	—	3
Other British Possessions	6	177	629	546	240	302
Total British Possessions	5,930	8,749	7,287	4,932	5,847	6,414
Foreign Countries:						
United States	113	93	480	236	626	640
Other Foreign Countries	10	4	91	303	8	61
Total Foreign Countries	123	97	571	539	634	701
TOTAL IMPORTS	67,728	133,445	166,438	191,538	170,464	208,469
	SPIRITS: GIN, GENEVA AND SCHNAPPS.					
United Kingdom	11,231	5,837	8,895	10,026	9,662	10,135
British Possessions:						
Victoria	763	24	138	109	182	247
New South Wales	1,223	1,236	5,628	3,965	3,241	2,156
Other British Possessions...	—	4	1	3	1	2
Total British Possessions	1,986	1,264	5,767	4,077	3,424	2,405
Foreign Countries:						
Germany	1,503	1,374	2,312	2,515	3,657	5,578
Holland	943	6,502	3,324	5,160	4,981	6,605
Belgium	209	—	217	194	191	209
Other Foreign Countries	—	—	—	89	—	—
Total Foreign Countries	2,655	7,876	5,853	7,958	8,829	12,392
TOTAL IMPORTS	15,872	14,977	20,515	22,061	21,915	24,932
	BEVERAGES, NON-ALCOHOLIC.					
United Kingdom	1,492	9,393	10,789	13,539	13,618	15,860
British Possessions:						
Victoria	356	1,644	1,754	1,639	1,113	1,576
New South Wales	248	507	1,143	709	550	361
Other British Possessions...	33	24	74	110	16	165
Total British Possessions	637	2,175	2,971	2,458	1,679	2,102
Foreign Countries:						
United States	—	135	257	668	578	822
Germany	3	35	103	283	506	597
Belgium	15	71	474	761	306	294
Japan	—	—	232	110	106	15
Other Foreign Countries	1,372	1,434	12	105	31	98
Total Foreign Countries	1,390	1,675	1,078	1,927	1,527	1,826
TOTAL IMPORTS	3,519	13,243	14,838	17,924	16,824	19,788

CLASS III.—DRUGS, NARCOTICS, CHEMICALS, &c.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			DRUGS AND CHEMICALS.			
	£	£	£	£	£	£
United Kingdom	67,736	134,542	173,379	181,845	178,324	212,219
British Possessions :						
Victoria	3,499	9,650	15,736	15,299	17,630	22,191
New South Wales	2,467	20,389	29,765	37,658	51,758	66,906
Other British Possessions	166	509	949	677	457	1,406
Total British Possessions	6,132	30,548	46,450	53,634	69,845	90,503
Foreign Countries :						
United States	5,059	8,922	13,116	20,216	33,216	31,009
Germany	508	2,336	5,211	6,371	5,128	6,249
France	97	10,231	20,963	21,574	28,252	29,903
Belgium	435	450	1,118	968	362	137
Other Countries	196	490	1,743	3,896	2,158	2,608
Total Foreign Countries	6,295	22,429	42,151	53,025	69,116	69,906
TOTAL IMPORTS...	80,163	187,519	261,980	288,504	317,285	372,628
			ACIDS : ALL KINDS.			
United Kingdom	8,998	6,765	5,807	7,521	6,906	6,520
British Possessions :						
Victoria	66	2,298	2,218	658	486	713
New South Wales	421	2,839	670	383	872	1,090
South Australia	—	—	—	—	—	10
Total British Possessions	487	5,137	2,888	1,041	1,358	1,813
Foreign Countries :						
United States	4	320	218	269	126	104
Germany	2	1,341	1,876	1,869	1,501	1,701
France	—	—	758	1,047	1,152	1,776
Belgium	—	—	689	287	167	106
Other Foreign Countries	—	149	21	355	—	176
Total Foreign Countries	6	1,810	3,562	3,827	2,946	3,863
TOTAL IMPORTS...	9,491	13,712	12,257	12,389	11,210	12,196
			ALKALIES (SODA AND POTASH).			
United Kingdom	9,682	16,547	20,402	21,855	22,543	22,299
British Possessions :						
Victoria	663	565	983	1,518	379	665
New South Wales	134	2,258	1,766	2,715	1,055	1,784
Other British Possessions...	—	—	—	18	8	1
Total British Possessions	797	2,823	2,749	4,251	1,442	2,450
Foreign Countries :						
United States	3	1,341	485	565	633	247
Germany	—	1,780	2,050	921	412	617
Belgium	—	972	699	145	49	116
Other Foreign Countries	—	58	178	—	—	81
Total Foreign Countries	3	4,151	3,412	1,631	1,094	1,061
TOTAL IMPORTS...	10,482	23,521	26.563	27,737	25,079	25,810

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	SPIRITS, PERFUMED.					
	£	£	£	£	£	£
United Kingdom	2,163	3,563	4,584	4,497	4,233	5,211
British Possessions :						
Victoria	85	27	41	145	96	149
New South Wales	14	337	135	220	208	163
Other British Possessions...	—	51	17	—	—	123
Total British Possessions	99	415	193	365	304	435
Foreign Countries :						
United States	381	527	882	506	324	232
Germany	64	285	671	1,256	324	535
France	—	613	461	506	450	270
Belgium	—	—	181	55	52	200
Other Foreign Countries	—	17	—	—	—	—
Total Foreign Countries	445	1,442	2,195	2,323	1,150	1,237
TOTAL IMPORTS...	2,707	5,420	6,972	7,185	5,687	6,883
	SPIRITS, OTHER KINDS.					
United Kingdom	822	5,913	8,545	8,607	9,122	14,259
British Possessions :						
Victoria	327	911	959	1,005	663	1,324
New South Wales	1,319	3,075	3,951	4,332	6,014	6,440
Hong Kong	66	765	845	638	564	816
Fiji	—	203	265	145	102	—
Other British Possessions	—	1	1	4	67	86
Total British Possessions	1,712	4,955	6,021	6,124	7,410	8,666
Foreign Countries :						
United States	5,868	1,391	1,273	1,601	735	1,714
Germany	172	238	1,688	1,292	432	1,073
France	—	361	524	430	538	839
Belgium	—	—	171	63	54	86
Other Foreign Countries	166	81	138	60	399	199
Total Foreign Countries	6,206	2,071	3,794	3,446	2,158	3,911
TOTAL IMPORTS...	8,740	12,939	18,360	18,177	18,690	26,836
	TOBACCO, MANUFACTURED.					
United Kingdom	13,424	14,417	27,636	25,251	25,888	31,113
British Possessions ;						
Victoria	7,964	7,424	18,069	34,854	50,768	57,892
New South Wales	2,593	3,611	1,035	1,460	3,865	7,021
Other British Possessions...	123	3	5	59	46	96
Total British Possessions	10,680	11,038	19,109	36,373	54,679	65,009
Foreign Countries :						
United States	41,956	103,430	120,461	105,788	103,687	101,480
Other Countries	432	—	87	12	148	305
Total Foreign Countries	42,388	103,430	120,548	105,800	103,835	101,785
TOTAL IMPORTS...	66,492	128,885	167,293	167,424	184,402	197,907

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	TOBACCO : CIGARS AND SNUFF.					
	£	£	£	£	£	£
United Kingdom	4,091	4,071	3,893	4,903	3,698	2,377
British Possessions :						
Victoria	6,516	1,896	2,189	1,756	670	933
New South Wales	4,810	8,263	8,691	5,507	5,261	5,048
Bengal	67	205	39	391	127	95
Madras	—	289	44	156	164	465
Other British Possessions...	146	146	294	374	232	159
Total British Possessions	11,539	10,799	11,257	8,184	6,454	6,700
Foreign Countries :						
United States	536	1,974	3,906	5,566	5,620	7,644
Germany	379	5,161	4,576	2,825	1,737	2,091
Belgium	697	295	241	914	637	284
Philippines	879	4,295	1,677	1,293	1,247	3,096
Other Countries	543	2,640	3,204	3,212	2,823	3,271
Total Foreign Countries	3,034	14,365	13,604	13,810	12,064	16,386
TOTAL IMPORTS...	18,664	29,235	28,754	26,897	22,216	25,463
	TOBACCO : CIGARETTES.					
United Kingdom	7,081	8,512	14,716	18,473	25,286	46,559
British Possessions :						
Victoria	141	71	90	49	73	2
New South Wales	571	1,303	2,670	1,174	2,130	523
Other British Possessions	—	53	76	102	—	82
Total British Possessions	712	1,427	2,836	1,325	2,203	607
Foreign Countries :						
United States	9,974	27,411	42,877	40,926	45,778	57,614
Egypt	—	210	577	208	526	382
Other Countries	18	—	205	4	35	5
Total Foreign Countries	9,992	27,621	43,659	41,138	46,339	58,001
TOTAL IMPORTS	17,785	37,560	61,211	60,936	73,828	105,167

CLASS IV.—APPAREL AND TEXTILES.

	APPAREL AND SLOPS.					
United Kingdom	309,866	418,539	517,282	548,558	566,629	620,341
British Possessions :						
Victoria	4,074	3,267	16,802	8,085	6,160	10,109
New South Wales	2,443	4,752	14,725	10,287	12,244	18,214
Canada	—	1,130	677	1,802	3,429	1,522
Other British Possessions	657	757	247	361	97	277
Total British Possessions	7,174	9,906	32,451	20,535	21,930	30,122
Foreign Countries :						
United States	1,252	9,706	14,306	14,773	11,819	15,878
Germany	575	2,798	5,362	7,302	3,367	4,906
Belgium	—	10,354	11,357	9,185	7,495	10,144
Japan	199	420	1,317	1,765	2,688	2,645
Other Foreign Countries	113	154	881	1,771	910	1,138
Total Foreign Countries	2,139	23,432	33,223	34,796	26,279	34,711
TOTAL IMPORTS	319,179	451,877	582,956	603,889	614,838	685,174

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			HATS AND CAPS.			
	£	£	£	£	£	£
United Kingdom	17,679	64,616	73,605	82,993	79,239	88,970
British Possessions :						
Victoria	35	323	839	1,390	385	828
New South Wales	37	1,006	1,620	1,793	1,579	1,497
Other British Possessions	70	17	2	3	—	19
Total British Possessions	142	1,346	2,461	3,186	1,964	2,344
Foreign Countries :						
United States	—	241	350	272	209	492
Belgium	—	184	200	—	—	—
Germany	—	—	661	199	155	94
Other Foreign Countries	18	412	576	1,318	1,550	2,855
Total Foreign Countries	18	837	1,787	1,789	1,914	3,441
TOTAL IMPORTS	17,839	66,799	77,853	87,968	83,117	94,755
			COTTON PIECE GOODS.			
United Kingdom	308,993	484,378	510,465	515,105	484,939	573,145
British Possessions :						
Victoria	1,574	2,542	7,326	3,508	3,510	3,812
New South Wales	979	5,755	9,818	5,103	4,954	6,733
Canada	—	11,301	12,490	8,697	7,742	8,651
Other British Possessions	18	18	18	401	39	41
Total British Possessions	2,571	19,616	29,652	17,709	16,245	19,237
Foreign Countries :						
United States	1,081	8,777	10,209	9,685	11,303	14,965
Germany	140	584	3,158	3,323	2,115	1,609
Belgium	—	1,162	1,423	2,242	1,358	1,714
Other Foreign Countries	150	90	1,657	2,711	2,894	1,678
Total Foreign Countries	1,371	10,613	16,447	17,961	17,670	19,966
TOTAL IMPORTS	312,935	514,607	556,564	550,775	518,854	612,348
			DRAPERY.			
United Kingdom	309,380	435,840	484,182	475,268	458,947	520,307
British Possessions :						
Victoria	3,067	3,194	7,077	5,006	6,701	6,046
New South Wales	2,113	3,528	9,642	10,751	8,526	12,950
Other British Possessions	89	496	228	585	411	832
Total British Possessions	5,269	7,218	16,947	16,342	15,638	19,828
Foreign Countries :						
United States	14	1,311	2,754	2,062	2,569	1,234
Germany	198	2,039	5,449	5,241	3,620	4,253
Japan	38	327	217	940	1,483	2,835
Other Foreign Countries	270	1,564	2,168	2,035	1,424	1,183
Total Foreign Countries	520	5,241	10,588	10,278	9,096	9,505
TOTAL IMPORTS	215,169	448,299	511,717	501,888	483,681	549,640

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			HOSIERY.			
	£	£	£	£	£	£
United Kingdom	68,232	100,804	120,486	138,757	141,168	156,615
British Possessions	497	1,077	1,959	1,308	763	1,162
Foreign Countries :						
Germany	66	1,080	2,450	3,512	2,125	2,707
Other Foreign Countries	6	330	717	363	314	493
Total Foreign Countries	72	1,410	3,167	3,875	2,439	3,200
TOTAL IMPORTS	68,801	103,291	125,612	143,910	144,370	160,977
			WOOLLEN PIECE GOODS.			
United Kingdom	126,781	280,330	356,806	374,725	381,071	409,124
British Possessions :						
Victoria	834	5,012	6,121	4,769	4,363	4,852
New South Wales	858	14,437	27,658	28,223	16,710	23,409
Other British Possessions	27	142	123	45	3	27
Total British Possessions	1,719	19,591	33,902	33,037	21,076	28,288
Foreign Possessions :						
Germany	321	1,409	6,026	4,866	3,090	3,769
Belgium	53	100	1,417	755	828	1,694
France	—	267	1,473	2,208	398	—
Other Foreign Countries	144	226	582	749	83	77
Total Foreign Countries	518	2,002	9,498	8,578	4,399	5,540
TOTAL IMPORTS...	129,018	301,923	400,206	416,340	406,546	442,952
			HABERDASHERY.			
United Kingdom	63,987	97,637	105,581	100,490	104,080	110,072
British Possessions :						
Victoria	11,632	2,063	2,652	2,216	1,907	1,145
New South Wales	13,302	3,565	4,055	3,967	4,014	3,419
Other British Possessions...	—	60	6	14	60	39
Total British Possessions	24,934	5,688	6,713	6,197	5,981	4,603
Foreign Countries :						
United States	15	1,104	3,931	3,648	4,768	4,491
Germany	—	879	1,529	1,862	1,249	1,681
Other Foreign Countries	9	93	295	619	198	232
Total Foreign Countries	24	2,076	5,755	6,129	6,215	6,404
TOTAL IMPORTS	88,945	105,401	118,049	112,816	116,276	121,079
			BLANKETS.			
United Kingdom	20,996	10,483	8,488	7,895	4,957	4,635
British Possessions :						
Victoria	181	141	—	—	1	—
New South Wales	207	52	—	—	7	2
Other British Possessions...	2	3	—	2	—	16
Total British Possessions	390	196	—	2	7	18
Total Foreign Countries	60	96	5	144	17	9
TOTAL IMPORTS...	21,446	10,775	8,493	8,041	4,981	4,662

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			CARPETS AND CARPETING.			
	£	£	£	£	£	£
United Kingdom	31,961	39,609	42,911	50,467	54,075	69,283
British Possessions:						
Victoria	165	237	315	164	503	538
New South Wales	160	136	222	385	285	333
Bengal	—	—	149	660	223	232
Other British Possessions...	—	67	253	3	44	9
Total British Possessions ...	325	440	939	1,212	1,055	1,112
Foreign Countries:						
United States	—	96	395	164	31	6
Japan	—	498	407	399	46	11
Belgium	—	85	—	—	149	—
Germany	—	50	149	95	26	213
Other Foreign Countries	—	—	—	—	108	69
Total Foreign Countries	—	729	951	658	360	299
TOTAL IMPORTS...	32,286	40,778	44,801	52,337	55,490	70,694
			LINEN MANUFACTURES.			
United Kingdom	41,754	78,392	78,349	78,780	66,129	69,451
British Possessions:						
Bengal	318	3,628	14,403	9,149	14,286	13,637
Other British Possessions...	532	1,065	1,736	590	986	1,195
Total British Pessessions	850	4.693	16,139	9,739	15,272	14,832
Foreign Countries	1	121	306	174	186	199
TOTAL IMPORTS	42,605	83,206	94,794	88,693	81,587	84,482
			CANVAS.			
United Kingdom	20,867	26,692	33,697	42,106	32,247	49,370
British Possessions:						
Victoria	430	32	550	436	505	744
New South Wales	184	1,006	1,006	944	2,740	2,762
Canada	—	197	42	1,851	4,724	5,927
Other British Possessions	—	—	—	—	—	—
Total British Possessions	614	8,235	1,598	3,231	7,969	9,433
Foreign Countries:						
United States	1,021	7,429	9,639	8,634	3,875	1,846
Other Foreign Countries	24	48	5	27	—	114
Total Foreign Countries	1,045	7,477	9,644	8,661	3,875	1,960
TOTAL IMPORTS	22,526	35,404	44,939	53,998	44,091	60,763

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			FLOORCLOTHS.			
	£	£	£	£	£	£
United Kingdom	30,608	61,346	84,293	95,724	86,639	94,931
British Possessions:						
Victoria	35	383	436	136	133	71
New South Wales	46	390	74	54	129	225
Other British Possessions	—	—	—	78	7	49
Total British Possessions	81	773	510	268	269	345
Foreign Countries:						
United States	—	18	204	72	17	42
Germany	—	1,418	626	285	662	884
Belgium	—	657	609	478	198	318
Other Foreign Countries	—	—	—	—	—	26
Total Foreign Countries	—	2,093	1,439	835	877	1,270
TOTAL IMPORTS	30,689	64,212	86,242	96,827	87,785	96,546
			CORDAGE AND TWINE (EXCEPT IRON AND STEEL CORDAGE.)			
United Kingdom	18,850	21,185	25,867	29,736	30,817	31,972
British Possessions:						
Victoria	1,017	280	765	1,176	157	148
New South Wales	1,856	2,027	2,133	3,666	1,368	1,792
Bengal	260	538	256	363	441	875
Other British Possessions	—	4	101	135	35	187
Total British Possessions	3,133	2,849	3,255	5,340	2,001	3,002
Foreign Countries:						
United States	2,117	1,216	1,858	1,635	1,421	2,058
Germany	46	110	3,220	993	653	567
Other Foreign Countries	31	—	—	1	22	97
Total Foreign Countries	2,194	1,326	5,078	2,629	2,096	2,722
TOTAL IMPORTS	24,177	25,360	34,200	37,705	34,914	37,696
			FANCY GOODS, &C.			
United Kingdom	51,171	89,676	114,939	91,917	96,142	103,315
British Possessions:						
Victoria	1,909	2,279	3,050	2,792	3,131	4,962
New South Wales	2,163	5,740	8,056	5,403	4,301	11,872
Hong Kong	426	317	378	249	96	151
Bengal	—	126	162	240	339	265
Other British Possessions	159	183	290	346	381	379
Total British Possessions	4,657	8,645	11,936	9,030	8,248	17,632
Foreign Countries:						
United States	2,226	8,032	18,252	13,433	10,260	9,781
Germany	1,801	15,271	25,333	28,098	28,705	30,168
Japan	1,258	6,158	5,555	5,594	5,949	6,650
Belgium	188	6	488	375	269	214
Other Foreign Countries	489	441	692	1,182	2,379	2,769
Total Foreign Countries	5,962	29,908	50,320	48,682	47,562	49,582
TOTAL IMPORTS	61,790	128,229	177,195	149,629	151,952	170,529

CLASS V.—IRON AND STEEL AND MANUFACTURES THEREOF.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
IRON AND STEEL: PIG.						
	£	£	£	£	£	£
United Kingdom	16,138	41,749	32,881	41,052	24,418	43,287
British Possessions:						
Victoria	94	1,391	501	530	309	1,000
New South Wales	277	2,197	1,353	1,347	1,716	1,355
Other British Possessions	—	—	—	14	—	—
Total British Possessions	371	3,588	1,854	1,891	2,025	2,355
Foreign Countries:						
United States	120	3,130	—	702	—	31
Other Foreign Countries	99	—	—	54	—	—
Total Foreign Countries	219	3,130	—	756	—	31
TOTAL IMPORTS	16,728	48,467	34,735	43,699	26,443	45,673
IRON: BAR, ANGLE, BOLT AND ROD.						
United Kingdom	36,088	183,958	109,792	118,481	124,932	180,512
British Possessions:						
Victoria	19	1,438	1,612	2,202	1,380	906
New South Wales	231	3,587	2,008	3,383	3,719	4,291
Other British Possessions	—	57	53	—	9	100
Total British Possessions	250	5,082	3,673	5,585	5,108	5,297
Foreign Countries:						
United States	8	3,734	1,495	1,129	915	907
Belgium	—	2,836	6,795	3,986	235	432
Other Foreign Countries	—	390	727	1,020	24	33
Total Foreign Countries	8	6,960	9,017	6,135	1,174	1,372
TOTAL IMPORTS	36,346	196,000	122,482	130,201	131,214	187,181
SHEET AND PLATE, NOT GALVANISED.						
United Kingdom	18,616	75,669	51,547	49,135	37,706	90,833
British Possessions:						
Victoria	129	1,311	937	533	482	553
New South Wales	252	3,190	1,813	1,479	1,125	1,830
Other British Possessions	—	—	—	56	32	9
Total British Possessions	381	4,501	2,750	2,068	1,639	2,392
Foreign Countries:						
Belgium	—	2,632	4,399	7,266	1,060	194
Other Foreign Countries	—	546	1,276	453	360	509
Total Foreign Countries	—	3,178	5,675	7,719	1,420	703
TOTAL IMPORTS...	18,997	83,348	59,972	58,922	40,765	93,928

Country.	1890.	1900.	1903.	1904.	1905.	1906.
HARDWARE, HOLLOWWARE, AND IRONMONGERY.						
	£	£	£	£	£	£
United Kingdom	134,805	217,936	223,739	220,038	206,318	253,678
British Possessions :						
Victoria	2,201	2,854	5,153	4,777	4,076	3,950
New South Wales	1,468	5,639	7,325	4,528	4,143	5,353
Other British Possessions	4	64	73	785	956	901
Total British Possessions	3,673	8,557	12,551	10,090	9,175	10,204
Foreign Countries :						
United States	12,571	46,078	56,569	45,543	41,022	37,455
Germany	193	7,074	10,882	12,252	10,249	10,330
Belgium	51	508	1,996	660	257	229
Other Foreign Countries	30	37	161	298	154	381
Total Foreign Countries	12,845	53,697	69,608	58,753	51,682	48,395
TOTAL IMPORTS	151,323	280,190	305,898	288,881	267,175	312,277
IRON AND STEEL : GALVANISED PLATE AND SHEET.						
United Kingdom	85,851	253,944	251,811	273,832	267,110	293,166
British Possessions :						
Victoria	75	—	16	76	—	211
New South Wales	4,599	500	46	249	59	321
Total British Possessions	4,674	500	62	325	59	532
Foreign Countries :						
United States	170	33	15	798	45	—
Belgium	—	—	52	37	38	—
Germany	—	—	—	937	37	38
Other Foreign Countries	—	4	—	—	—	15
Total Foreign Countries	170	37	67	1.772	120	53
TOTAL IMPORTS	90,695	254,481	251,940	275,929	267,289	293,751
IRON AND STEEL : WIRE NETTING.						
United Kingdom	14,747	20,765	25,855	25,736	34,346	53,680
British Possessions :						
Victoria	8	407	36	207	27	55
New South Wales	—	944	5,306	6,001	2,374	1,484
Other British Possessions	—	—	—	—	6	15
Total British Possessions	8	1,351	5,342	6,208	2,407	1,554
Foreign Countries :						
Germany	—	670	14	65	340	513
Belgium	—	1,212	245	169	238	545
Other Foreign Countries	—	106	66	8	20	92
Total Foreign Countries	—	1,988	325	242	598	1,150
TOTAL IMPORTS	14,755	24,104	31,522	32,186	37,351	56,384

Country.	1890.	1900.	1903.	1904.	1905.	1906.
IRON AND STEEL : WIRE FOR FENCING.						
	£	£	£	£	£	£
United Kingdom	79,872	28,189	52,967	50,370	66,179	65,032
British Possessions :						
Victoria	—	84	19	128	—	65
New South Wales	825	1,164	81	102	74	45
Canada	—	—	—	—	—	60
Total British Possessions	825	1,248	100	230	74	170
Foreign Countries :						
United States	5,072	59,581	39,781	51,496	67,288	46,524
Belgium	503	1,720	2,448	4,062	4,143	7,666
Germany	—	673	1,848	10,748	8,491	9,935
Total Foreign Countries	5,575	61,974	44,077	66,306	79,822	64,125
TOTAL IMPORTS	86,272	91,411	97,144	116,906	146,075	129,327
IRON AND STEEL : WIRE, OTHER SORTS.						
United Kingdom	4,416	11,203	15,222	8,745	15,503	37,077
British Possessions :						
Victoria	173	101	219	444	116	214
New South Wales	50	157	58	74	291	220
Canada	—	—	—	—	—	7
Total British Possessions	223	258	277	518	407	441
Foreign Countries :						
United States	49	2,527	2,845	1,662	1,045	2,301
Germany	—	316	164	868	318	9,879
Belgium	—	238	252	392	127	254
Other Foreign Countries	—	—	—	7	—	—
Total Foreign Countries	49	3,081	3,251	2,929	1,490	12,434
TOTAL IMPORTS	4,689	14,542	18,760	12,192	17,400	49,952
IRON AND STEEL : PIPES AND FITTINGS.						
United Kingdom	19,497	75,096	101,883	101,236	86,705	141,774
British Possessions :						
Victoria	346	1,518	2,094	4,543	1,801	861
New South Wales	243	6,025	5,208	4,537	5,262	5,474
West Australia	—	—	—	1,166	—	—
Other British Possessions	—	—	148	237	704	1,038
Total British Possessions	589	7,543	7,450	10,483	7,767	7,373
Foreign Countries :						
United States	20	22,658	4,402	4,196	3,874	3,526
Belgium	—	—	3,683	2,536	920	174
France	—	—	—	468	954	—
Germany	—	—	—	233	661	1,131
Other Foreign Countries	—	198	16	2	—	—
Total Foreign Countries	20	22,856	8,101	7,435	6,409	4,831
TOTAL IMPORTS	20,106	105,495	117,434	119,154	100,881	153,978

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	IRON AND STEEL : NAILS.					
	£	£	£	£	£	£
United Kingdom	21,547	14,836	10,665	9,053	6,063	5,834
British Possessions :						
Victoria	120	453	361	546	489	458
New South Wales	896	411	296	476	292	323
Tasmania	—	—	—	—	—	8
Canada	—	2	—	—	2,720	7,693
Total British Possessions	1,016	866	657	1,022	3,501	8,482
Foreign Countries :						
United States	4,372	22,961	20,740	20,731	24,585	31,183
Germany	154	2,962	2,344	5,574	8,017	4,090
Belgium	319	5,916	4,482	3,420	2,106	1,946
Norway	—	—	154	472	154	135
Other Foreign Countries	—	258	199	254	355	538
Total Foreign Countries	4,845	32,097	27,919	30,451	35,217	37.892
TOTAL IMPORTS	27,408	47,799	39,241	40,526	44,781	52,208
	RAILWAY MATERIALS.					
United Kingdom	85,106	52,277	108,338	161,279	172,732	324,954
British Possessions :						
Victoria	—	95	415	1,798	1,452	3,334
New South Wales	18	9,305	2,845	3,119	804	1,694
Other British Possessions...	—	—	120	—	—	86
Total British Possessions	18	9,400	3,380	4,917	2,256	5,114
Foreign Countries :						
United States	2,007	451	10,393	17,322	24,656	4,397
Germany	—	—	—	480	32	1,392
Other Foreign Countries	—	—	53	—	354	949
Total Foreign Countries	2,007	451	10,446	17,802	25,042	6,738
TOTAL IMPORTS	87,131	62,128	122,164	183,998	200,030	336,806
	TIN PLATES : PLAIN.					
United Kingdom	21,790	37,137	37,495	37,389	41,026	39,103
British Possessions :						
Victoria	180	645	—	9	490	65
New South Wales	1,708	5,746	2,689	1,155	1,772	1,975
Other British Possessions...	—	—	—	—	74	—
Total British Possessions	1,888	6,391	2,689	1,164	2,336	2,040
Foreign Countries :						
United States	—	—	19	122	321	2,731
Germany	—	—	320	—	—	93
Other Foreign Countries	1	—	—	—	—	—
Total Foreign Countries	1	—	339	122	321	2,824
TOTAL IMPORTS	23,679	43,528	40,523	38,675	43,683	43,967

CLASS VI.—MACHINES AND MACHINERY, IMPLEMENTS, INSTRUMENTS, &c.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	MACHINES AND MACHINERY: ENGINES, GAS AND OIL, AND PARTS THEREOF.					
	£	£	£	£	£	£
United Kingdom	1,348	12,125	27,114	35,875	42,106	56,772
British Possessions:						
Victoria	—	215	1,331	1,557	833	1,903
New South Wales	19	346	925	1,671	2,048	2,645
Other British Possessions	—	495	80	590	—	78
Total British Possessions	19	1,056	2,336	3,818	2,881	4,626
Foreign Countries:						
United States	—	5,418	25,780	28,834	20,172	25,954
Germany	—	—	—	520	541	550
Belgium	—	—	1,452	372	1,484	1,555
France	—	—	824	4,605	1,570	4,797
Other Foreign Countries	—	—	—	—	203	323
Total Foreign Countries	—	5,418	28,056	34,331	23,970	33,179
TOTAL IMPORTS	1,367	18,599	57,506	74,024	68,957	94,577
	MINING MACHINERY AND PARTS THEREOF.					
United Kingdom	10,657	86,717	38,173	15,693	31,093	42,019
British Possessions:						
Victoria	3,098	1,940	2,820	1,674	3,406	1,821
New South Wales	1,776	2,878	1,166	983	1,238	1,161
Other British Possessions	128	2,365	3,735	446	—	461
Total British Possessions	5,002	7,183	7,721	3,103	4,644	3,443
Foreign Countries:						
United States	2,677	11,969	3,271	2,705	2,555	3,037
Other Foreign Countries	—	1,609	500	19	212	190
Total Foreign Countries	2,677	13,578	3,771	2,724	2,767	3,227
TOTAL IMPORTS	18,336	107,478	49,665	21,520	38,504	48,689
	PORTABLE AND TRACTION ENGINES.					
United Kingdom	Not shown separately.	16,571	51,426	76,302	32,027	27,390
British Possessions:						
Victoria		250	—	900	—	—
Other British Possessions		—	1,032	—	—	200
Total British Possessions		250	1,032	900	—	200
Foreign Countries:						
United States		492	216	207	173	—
Germany		165	—	—	—	—
Total Foreign Countries		657	216	207	173	—
TOTAL IMPORTS		17,478	52,674	77,409	32,200	27,590

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	Sewing and Knitting Machines and parts thereof.					
	£	£	£	£	£	£
United Kingdom	2,306	6,353	12,028	13,888	5,363	5,350
British Possessions :						
Victoria	4,622	3,000	5,473	5,370	2,252	1,888
New South Wales	3,364	1,674	2,472	3,622	1,818	9,771
Other British Possessions	—	9	18	—	25	355
Total British Possessions	7,986	4,683	7,963	8,992	4,095	12,014
Foreign Countries :						
United States	13,068	21,617	27,119	27,478	23,133	19,346
Germany	157	4,003	2,427	2,208	3,403	5,847
Belgium	—	762	1,558	489	14	134
Other Foreign Countries	14	11	—	—	—	15
Total Foreign Countries	13,239	26,393	31,104	30,175	26,550	25,342
TOTAL IMPORTS	23,531	37,429	51,095	53,055	36,008	42,706
	Printing Machines.					
United Kingdom	Not shown separately.	14,054	15,419	25,235	21,209	24,740
British Possessions :						
Victoria		625	1,625	2,525	3,169	2,864
New South Wales		747	1,508	1,180	2,429	4,582
Other British Possessions		—	490	158	622	1,024
Total British Possessions		1,372	3,623	3,863	6,220	8,470
Foreign Countries :						
United States		7,158	2,667	2,927	2,742	16,161
Other Foreign Countries		203	1,602	202	307	—
Total Foreign Countries		7,361	4,269	3,129	3,049	16,161
TOTAL IMPORTS		22,787	23,311	32,227	30,478	49,371
	Electrical Machinery.					
United Kingdom	8,706	37,942	80,127	118,064	91,338	109,214
British Possessions :						
Victoria	98	458	8,243	6,364	5,759	8,076
New South Wales	115	5,784	10,590	13,145	14,232	22,012
Other British Possessions	—	63	106	62	119	57
Total British Possessions	213	6,305	18,939	19,571	20,110	30,145
Foreign Countries :						
United States	330	2,797	9,819	34,388	41,325	21,369
Germany	31	1,455	519	2,267	3,339	6,908
Belgium	50	21	1,558	3,586	3,539	17,446
Other Foreign Countries	—	—	78	185	143	2,615
Total Foreign Countries	411	4,273	11,974	40,426	48,346	48,338
TOTAL IMPORTS	9,330	48,520	111,040	178,061	159,794	187,697

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	MACHINERY AND IMPLEMENTS: AGRICULTURAL.					
	£	£	£	£	£	£
United Kingdom	48,639	21,074	25,850	34,189	30,524	34,104
British Possessions:						
Victoria	805	1,357	3,991	4,034	10,080	6,946
New South Wales	5,809	1,123	4,113	3,876	3,330	4,677
Canada	3,879	9,010	21,045	22,995	7,979	15,785
Other British Possessions	—	2	473	141	503	155
Total British Possessions	10,493	11,492	29,622	31,046	21,892	27,563
Foreign Countries:						
United States	31,980	41,391	61,805	59,393	56,969	60,456
Other Foreign Countries	21	24	34	128	129	545
Total Foreign Countries	32,001	41,415	61,839	59,521	57,098	61,001
TOTAL IMPORTS	91,133	73,981	117,311	124,756	109,514	122,668
	OTHER MACHINERY, AND PARTS THEREOF.					
United Kingdom	77,252	162,486	152,002	205,366	159,473	160,001
British Possessions						
Victoria	5,089	50,282	14,621	16,544	12,766	25,148
New South Wales	3,136	26,710	20,273	22,521	18,396	18,424
Canada	—	505	2,538	1,287	998	1,334
Other British Possessions	—	22	640	591	218	441
Total British Possessions	8,225	77,519	38,072	40,943	32,378	45,347
Foreign Countries:						
United States	1,892	22,976	55,167	57,974	65,273	54,750
Sweden	—	9,708	15,379	12,151	6,031	6,035
Germany	27	428	5,543	4,586	2,723	2,616
Belgium	—	2,327	1,108	317	809	386
Other Foreign Countries	23	91	1,393	2,208	1,639	1,295
Total Foreign Countries	1,942	35,530	78,590	77,236	76,475	65,082
TOTAL IMPORTS	87,419	275,535	268,664	323,545	268,326	270,430
	TOOLS OF ALL KINDS.					
United Kingdom	40,108	76,533	81,391	90,151	95,332	101,583
British Possessions:						
Victoria	641	3,531	3,290	2,284	2,202	5,171
New South Wales	225	2,152	5,101	4,638	3,618	3,871
Canada	—	—	31	251	227	261
Tasmania	—	—	—	491	260	—
Other British Possessions	—	249	232	70	92	338
Total British Possessions	866	5,932	8,654	7,734	6,399	9,641
Foreign Countries:						
United States	18,896	45,512	57,185	64,901	60,754	61,979
Germany	109	865	1,645	2,192	2,648	3,365
Belgium	—	203	707	734	355	601
Other Countries	20	32	160	189	72	90
Total Foreign Countries	19,025	46,612	59,707	68,016	63,829	66,035
TOTAL IMPORTS	59,999	129,077	149,752	165,901	165,560	177,259

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	INSTRUMENTS, MUSICAL : PIANOS.					
	£	£	£	£	£	£
United Kingdom	18,205	27,229	32,668	45,556	52,236	49,086
British Possessions :						
Victoria	1,538	528	534	787	38	181
New South Wales	2,747	993	465	12	205	10
Canada	111	—	—	209	36	193
Other British Possessions	—	—	—	25	—	—
Total British Possessions	4,396	1,521	999	1,033	279	384
Foreign Countries :						
Germany	5,924	49,243	51,021	50,371	47,358	51,060
United States	201	1,368	968	869	736	84
France	—	—	—	247	434	340
Other Foreign Countries	—	173	—	159	48	—
Total Foreign Countries	6,125	50,784	51,989	51,646	48,576	51,484
TOTAL IMPORTS	28,726	79,534	85,656	98,235	101,091	100,954
	INSTRUMENTS, MUSICAL : OTHER KINDS.					
United Kingdom	7,362	7,338	11,849	15,531	14,509	22,363
British Possessions :						
Victoria	321	106	743	536	1,387	1,227
New South Wales	399	1,187	2,349	867	1,137	1,233
Canada	—	—	235	2,439	715	900
Other British Possessions	11	67	53	361	396	2
Total British Possessions	731	1,360	3,380	4,203	3,635	3,362
Foreign Countries :						
United States	3,689	7,110	8,601	5,735	4,798	4,919
Germany	625	2,146	4,080	3,396	1,905	2,407
Other Foreign Countries	27	190	322	177	506	207
Total Foreign Countries	4,341	9,446	13,003	9,308	7,209	7,533
TOTAL IMPORTS	12,434	18,144	28,232	29,042	25,353	33,258
	INSTRUMENTS : SCIENTIFIC, &C.					
United Kingdom	4,956	18,030	19,346	21,991	24,101	24,827
British Possessions :						
Victoria	539	230	333	366	496	324
New South Wales	257	1,653	3,614	2,832	3,202	3,263
Canada	—	—	—	232	71	6
Other British Possessions	3	53	99	5	48	5
Total British Possessions	799	1,936	4,046	3,435	3,817	3,598
Foreign Countries :						
United States	304	10,113	15,911	11,228	11,546	14,150
Germany	434	1,081	1,183	1,217	1,530	3,580
Other Foreign Countries	79	31	95	78	107	67
Total Foreign Countries	817	11,225	17,189	12,523	13,183	17,797
TOTAL IMPORTS	6,572	31,191	40,581	37,949	41,101	46,222

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	ARMS, AMMUNITION AND EXPLOSIVES.					
	£	£	£	£	£	£
United Kingdom	45,482	94,557	115,744	98,587	103,718	75,900
British Possessions:						
Victoria	290	487	349	3,802	965	2,001
New South Wales	2,558	2,368	1,040	1,033	508	1,492
Other British Possessions	4	53	20	90	5	148
Total British Possessions	2,852	2,908	1,409	4,925	1,478	3,641
Foreign Countries:						
United States	412	13,120	17,836	16,616	15,041	13,945
Germany	6,962	732	1,101	1,042	1,345	1,200
Belgium	164	540	1,656	1,276	959	1,677
Other Foreign Countries	137	2	—	11	109	75
Total Foreign Countries	7,675	14,394	19,593	18,945	17,454	16,897
TOTAL IMPORTS	56,009	111,859	136,746	122,457	122,650	96,438
	CUTLERY.					
United Kingdom	16,137	21,634	24,671	34,764	34,130	33,643
British Possessions:						
Victoria	199	25	74	296	467	235
New South Wales	198	624	1,296	454	973	1,069
Other British Possessions...	—	1	—	3	4	5
Total British Possessions	397	650	1,370	753	1,444	1,309
Foreign Countries:						
United States	26	337	384	920	1,228	1,440
Germany	226	468	633	1,325	1,708	1,308
Other Foreign Countries	—	—	102	35	85	46
Total Foreign Countries	252	805	1,119	2,280	3,021	2,794
TOTAL IMPORTS...	16,786	23,089	27,160	37,797	38,595	37,746
	CLOCKS AND WATCHES.					
United Kingdom	15,893	18,597	18,007	14,536	14,191	18,812
British Possessions:						
Victoria	581	46	722	219	171	140
New South Wales	1,283	2,966	2,160	657	913	509
Other British Possessions	3	—	4	6	7	—
Total British Possessions	1,867	3,012	2,886	882	1,091	649
Foreign Countries:						
United States	3,816	9,443	11,366	15,319	12,812	12,194
France	181	—	—	580	343	400
Germany	135	507	1,817	3,272	2,446	2,461
Other Foreign Countries	—	85	—	67	60	375
Total Foreign Countries	4,132	10,035	13,183	19,238	15,661	15,430
TOTAL IMPORTS...	21,892	31,644	34,076	34,656	30,943	34,891

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	LAMPS AND LAMPWARE.					
	£	£	£	£	£	£
United Kingdom	5,575	10,156	11,681	15,516	14,506	19,606
British Possessions :						
Victoria	307	444	397	375	111	529
New South Wales	153	3,202	1,216	1,316	696	1,402
Other British Possessions...	—	4	63	6	76	86
Total British Possessions	460	3,650	1,676	1,697	883	2,017
Foreign Countries :						
United States	2,227	6,738	9,612	10,290	11,137	11,084
Germany	94	1,709	3,454	3,935	7,941	7,960
Belgium	3	—	38	423	72	13
Other Foreign Countries	3	1	2	42	66	98
Total Foreign Countries	2,327	8,448	13,106	14,690	19,216	19,155
TOTAL IMPORTS	8,362	22,254	26,463	31,903	34,605	40,778

CLASS VII.—LEATHER AND MANUFACTURES THEREOF.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	LEATHER.					
United Kingdom	48,435	41,769	36,127	31,264	37,213	45,824
British Possessions :						
Victoria	7,266	14,040	14,189	16,247	19,475	20,969
New South Wales	1,785	5,471	6,609	6,951	7,508	9,988
Tasmania	28	102	—	—	1	6
Other British Possessions...	5	141	153	325	407	497
Total British Possessions	9,084	19,754	20,951	23,523	27,391	31,460
Foreign Countries :						
United States	6,059	17,743	24,699	23,502	22,372	24,515
Germany	663	824	1,042	1,538	1,344	999
Belgium	—	266	30	102	300	—
France	—	—	602	291	—	718
Other Foreign Countries	111	151	2	—	—	140
Total Foreign Countries	6,833	18,984	26,375	25,433	24,016	26,372
TOTAL IMPORTS	64,352	80,507	83,453	80,220	88,620	103,656
	LEATHER MANUFACTURES, UNENUMERATED. (*Except* " BOOTS AND SHOES," AND " BELTING.")					
United Kingdom	9,610	6,486	7,565	8,657	2,132	2,639
British Possessions :						
Victoria	795	723	1,041	1,887	223	373
New South Wales	1,968	1,187	424	329	126	205
Canada	—	—	—	163	26	—
Other British Possessions	—	—	—	7	—	—
Total British Possessions	2,763	1,910	1,465	2,386	375	578
Foreign Countries :						
United States	214	360	1,528	2,319	937	1,283
Germany	—	458	410	430	57	50
Belgium	—	—	214	76	—	—
Other Foreign Countries	11	5	10	25	62	76
Total Foreign Countries	225	823	2,162	2,850	1,056	1,409
TOTAL IMPORTS	12,598	9,219	11,192	13,893	3,563	4,626

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	BOOTS AND SHOES.					
	£	£	£	£	£	£
United Kingdom	116,706	129,464	118,209	139,579	186,800	204,032
British Possessions:						
Victoria	3,020	5,894	4,269	7,627	11,760	18,840
New South Wales	2,354	7,945	5,761	3,258	3,829	6,340
Canada	—	1,752	6,384	11,855	12,437	18,534
Other British Possessions	45	54	57	85	42	88
Total British Possessions	5,419	15,645	16,471	22,825	28,068	43,802
Foreign Countries:						
United States	1,398	46,807	107,713	90,232	61,150	46,846
Germany	3,049	2,298	2,704	2,311	2,399	1,129
Austria	723	393	431	1,025	1,699	1,641
Other Foreign Countries	70	147	111	193	281	102
Total Foreign Countries	5,240	49,645	110,959	93,761	65,529	49,718
TOTAL IMPORTS	127,365	194,754	245,639	256,165	280,307	297,552
	BOOTS AND SHOES, MINOR ARTICLES FOR.					
United Kingdom	12,864	19,252	16,919	16,442	23,899	28,089
British Possessions:						
Victoria	630	1,449	1,554	1,909	4,338	5,002
New South Wales	32	303	1,227	1,239	1,501	2,020
Other British Possessions	—	—	69	44	73	33
Total British Possessions	662	1,752	2,850	3,192	5,912	7,055
Foreign Countries:						
United States	1,930	1,736	3,553	3,044	6,556	3,701
Germany	43	33	128	189	374	420
Other Foreign Countries	56	—	26	93	19	206
Total Foreign Countries	2,029	1,769	3,707	3,326	6,949	4,327
TOTAL IMPORTS	15,555	22,773	23,476	22,960	36,760	39,471
	BELTING (OF LEATHER AND OTHER MATERIALS).					
United Kingdom	Details not available.	20,750	24,122	25,049	21,892	20,025
British Possessions:						
Victoria		277	799	1,647	1,804	1,553
New South Wales		305	1,452	2,882	1,969	1,534
Other British Possessions		—	63	71	158	247
Total British Possessions		582	2,314	4,600	3,931	3,334
Foreign Countries:						
United States		180	373	1,769	2,125	724
Germany		72	510	391	61	334
Other Foreign Countries		—	—	—	47	2
Total Foreign Countries		252	883	2,160	2,233	1,060
TOTAL IMPORTS		21,584	27,319	31,809	28,056	24,419

CLASS VIII.—PAPER AND MANUFACTURES THEREOF, &c.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	PAPER, PRINTING.					
	£	£	£	£	£	£
United Kingdom	65,582	54,324	59,782	69,074	66,540	69,687
British Possessions :						
Victoria	875	1,873	1,839	2,474	1,641	598
New South Wales	972	5,152	4,072	6,609	8,009	4,015
Canada	—	1,163	2,216	10,161	18,752	33,599
Total British Possessions	1,847	8,188	8,127	19,244	28,402	38,212
Foreign Countries :						
United States	1,040	50,679	40,909	37,452	28,429	20,361
Germany	90	2,258	10,287	6,040	3,259	2,380
Belgium	—	—	1,114	563	167	166
Sweden	—	—	520	2,175	2,837	821
Other Foreign Countries	23	199	170	1,360	3,802	1,382
Total Foreign Countries	1,153	53,136	53,000	47,590	38,494	25,110
TOTAL IMPORTS	68,582	115,648	120,909	135,908	133,436	133,009
	PAPER, OTHER.					
United Kingdom	25,147	20,380	34,273	41,312	51,173	52,240
British Possessions :						
Victoria	304	381	579	284	511	480
New South Wales	425	2,288	1,230	1,102	945	1,221
British Columbia	—	—	907	242	372	820
Other British Possessions	7	116	45	49	432	19
Total British Possessions	736	2,785	2,761	1,677	2,260	2,540
Foreign Countries :						
United States	128	3,529	2,599	5,627	5,918	5,824
Germany	113	1,598	4,250	3,516	3,521	5,379
Belgium	—	788	6,067	2,941	2,127	2,373
Other Foreign Countries	103	12	37	278	798	2,141
Total Foreign Countries	344	5,927	12,953	12,362	12,364	15,717
TOTAL IMPORTS	26,227	29,092	49,987	55,351	65,797	70,497
	PAPERHANGINGS.					
United Kingdom	12,348	24,700	28,353	29,240	29,422	30,588
British Possessions :						
Victoria	—	3	34	6	2	394
New South Wales	12	24	349	114	105	146
Canada	—	220	543	2,955	1,774	2,383
Other British Possessions	—	—	—	6	3	—
Total British Possessions	12	247	926	3,081	1,884	2,923
Foreign Countries :						
United States	22	334	4,962	2,707	2,163	2,219
Germany	—	109	1,328	2,607	2,336	3,492
Belgium	—	—	282	88	1,020	844
Other Foreign Countries	—	29	2	76	173	16
Total Foreign Countries ...	22	472	6,574	5,478	5,692	6,571
TOTAL IMPORTS...	12,382	25,419	35,853	37,799	36,998	40,082

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	STATIONERY.					
	£	£	£	£	£	£
United Kingdom	58,564	57,687	81,238	87,933	93,574	97,642
British Possessions :						
Victoria	3,095	4,077	6,185	7,453	8,257	9,661
New South Wales	1,018	3,764	4,365	4,718	6,576	6,810
Canada	—	—	—	153	207	137
Other British Possessions	44	74	144	360	148	156
Total British Possessions	4,157	7,915	10,694	12,684	15,188	16,764
Foreign Countries :						
United States	2,891	4,702	9,505	8,793	9,016	8,366
Germany	979	1,591	3,651	4,690	4,198	6,567
Belgium	—	—	190	223	42	35
Japan	—	—	—	165	160	152
Other Foreign Countries	202	106	89	47	213	147
Total Foreign Countries	4,072	6,399	13,435	13,918	13,629	15,267
TOTAL IMPORTS	66,793	72,001	105,367	114,535	122,391	129,673
	PRINTING MATERIALS.					
United Kingdom	5,166	6,690	6,067	5,145	9,493	9,223
British Possessions :						
Victoria	1,600	2,358	1,294	1,760	1,320	967
New South Wales	650	2,866	3,533	3,729	3,519	4,286
Other British Possessions	—	—	1	136	—	73
Total British Possessions	2,250	5,224	4,828	5,625	4,839	5,326
Foreign Countries :						
United States	221	940	1,478	1,589	1,681	1,183
Germany	239	507	181	284	248	192
Other Foreign Countries	—	15	21	62	112	43
Total Foreign Countries	460	1,462	1,680	1,935	2,041	1,418
TOTAL IMPORTS	7,876	13,376	12,575	12,705	16,373	15,967
	PHOTO GOODS.					
United Kingdom	6,025	18,770	26,106	25,837	30,707	31,045
British Possessions :						
Victoria	329	298	1,124	759	982	754
New South Wales	140	1,257	1,522	1,837	1,681	2,399
Queensland	—	—	119	—	—	—
Canada	—	—	109	—	1	27
Other British Possessions	—	5	1	1	—	3
Total British Possessions	469	1,560	2,875	2,597	2,664	3,183
Foreign Countries :						
United States	6	1,798	2,668	4,872	2,645	1,298
Germany	386	895	1,405	1,248	869	971
Other Foreign Countries	1	55	24	4	—	32
Total Foreign Countries	393	2,748	4,097	6,124	3,514	2,301
TOTAL IMPORTS	6,887	23,078	33,078	34,558	36,885	36,529

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	BOOKS AND PERIODICALS.					
	£	£	£	£	£	£
United Kingdom	69,953	101,835	122,028	131,883	136,224	128,872
British Possessions :						
Victoria	16,496	20,207	22,049	26,971	22,954	27,814
New South Wales	11,415	9,112	18,194	25,938	15,158	13,979
Other British Possessions	144	328	486	69	127	309
Total British Possessions	28,055	29,647	40,729	52,978	38,239	42,102
Foreign Countries :						
United States	7,270	5,296	8,513	8,567	8,795	6,344
Germany	—	—	339	632	227	162
Other Foreign Countries	66	113	63	180	75	29
Total Foreign Countries	7,336	5,409	8,915	9,379	9,097	6,535
TOTAL IMPORTS	105,344	136,891	171,672	194,240	183,560	177,509

CLASS IX.—CHINA, EARTHEN AND GLASSWARE.

	CHINA AND EARTHENWARE.					
United Kingdom	48,051	62,452	77,595	95,645	84,412	98,966
British Possessions :						
Victoria	109	499	1,261	1,061	2,368	2,032
New South Wales	137	1,004	927	1,138	1,476	1,330
Hong Kong	—	—	271	233	86	100
Other British Possessions	17	55	10	25	36	31
Total British Possessions	263	1,558	2,469	2,457	3,966	3,493
Foreign Countries :						
United States	67	428	661	1,474	1,698	871
Germany	445	3,133	7,549	11,881	7,978	9,329
France	4	—	—	24	1,652	153
Japan	—	938	1,070	2,779	1,891	1,933
Other Foreign Countries	52	132	409	198	609	329
Total Foreign Countries	568	4,631	9,689	16,356	13,828	12,615
TOTAL IMPORTS	48,882	68,641	89,753	114,458	102,206	115,074
	GLASS.					
United Kingdom	14,629	34,155	33,092	31,815	26,670	35,815
British Possessions :						
Victoria	200	367	305	10	17	19
New South Wales	4	278	95	166	70	630
Western Australia	—	—	1	—	—	—
Total British Possessions	204	645	401	176	87	649
Foreign Countries :						
Germany	6	630	826	1,999	911	2,669
Belgium	697	1,876	11,144	16,894	15,698	28,233
Other Foreign Countries	—	—	212	441	1,287	700
Total Foreign Countries	703	2,506	12,182	19,334	17,896	31,602
TOTAL IMPORTS	15,536	37,306	45,675	51,325	44,653	68,066

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	GLASSWARE.					
	£	£	£	£	£	£
United Kingdom	24,080	38,168	41,659	49,237	43,342	50,319
British Possessions:						
Victoria	939	4,772	6,280	5,441	9,379	13,381
New South Wales	2,013	12,631	15,078	12,912	12,095	17,210
Other British Possessions	9	2	14	27	22	18
Total British Possessions	2,961	17,405	21,372	18,380	21,496	30,609
Foreign Countries:						
United States	2,572	8,833	15,667	15,230	10,757	7,513
Belgium	118	3,625	5,255	5,830	3,798	4,629
Germany	84	6,326	14,554	17,225	13,523	13,700
Other Foreign Countries	15	184	877	1,359	1,288	1,001
Total Foreign Countries	2,789	18,968	36,353	39,644	29,366	26,843
TOTAL IMPORTS.	29,830	74,541	99,384	107,261	94,204	107,771

CLASS X.—OILS, COLOURS, PAINTS, &c.

	OILS, BULK: LINSEED.					
United Kingdom	14,031	24,286	33,639	35,513	23,051	30,778
British Possessions:						
Victoria	5	748	27	1	101	207
New South Wales	53	116	207	223	554	—
Bengal	122	8,594	7,235	5,127	4,928	2,199
Singapore	—	—	134	—	70	—
Total British Possessions	180	9,458	7,603	5,351	5,653	2,406
Foreign Countries:						
United States	—	11	1,435	868	1,360	—
Other Foreign Countries	—	—	—	30	12	37
Total Foreign Countries	—	11	1,435	898	1,372	37
TOTAL IMPORTS	14,211	33,755	42,677	41,762	30,076	33,223
	OILS: KEROSENE.					
United Kingdom	1,295	322	432	1,016	1,726	—
British Possessions						
Victoria	997	94	5,257	3,452	65	2
New South Wales	399	2,864	730	315	461	432
South Australia	—	—	—	2,004	—	—
Total British Possessions	1,396	2,958	5,987	5,771	526	434
Foreign Countries:						
United States	50,511	106,233	99,821	140,055	137,515	139,014
Sumatra	—	—	11,026	—	—	—
Borneo	—	—	5,667	—	—	—
Total Foreign Countries	50,511	106,233	116,514	140,055	137,515	139,014
TOTAL IMPORTS	53,202	109,513	122,933	146,842	139,767	139,448

Country.	1890.	1900.	1903.	1904.	1905.	1906.
OILS : FISH, COD, AND SEAL.						
	£	£	£	£	£	£
United Kingdom :	1,755	2,799	3,342	2,368	2,700	1,765
British Possessions :						
Victoria	—	1,142	1,575	1,972	979	453
New South Wales	23	789	164	386	634	99
Tasmania	—	400	928	—	766	650
Other British Possessions	87	56	393	—	164	—
Total British Possessions	110	2,687	3,060	2,358	2,543	1,202
Foreign Countries :						
United States	954	553	690	694	565	313
Germany	—	—	57	859	292	453
Japan	—	—	586	125	612	—
Other Foreign Countries	163	—	—	121	50	25
Total Foreign Countries	1,117	553	1,333	1,799	1,519	791
TOTAL IMPORTS	2,982	6,039	7,735	6,525	6,762	3,758
OILS : CASTOR.						
United Kingdom	1,420	526	446	413	534	586
British Possessions :						
Victoria	200	410	209	262	480	164
New South Wales	637	1,468	50	36	525	135
Bengal	8,209	9,528	7,111	10,242	7,369	14,809
Singapore	—	—	138	34	—	26
Other British Possessions	8	—	—	—	—	61
Total British Possessions	9,054	11,406	7,508	10,574	8,374	15,195
Total Foreign Countries*	32	—	90	49	37	26
TOTAL IMPORTS.	10,506	11,932	8,064	11,036	8,945	15,807
OILS : OTHER KINDS.						
United Kingdom	25,012	18,096	23,525	26,981	19,276	21,612
British Possessions :						
Victoria	590	8,943	7,936	7,130	7,569	8,857
New South Wales	1,066	7,334	4,691	6,814	7,728	9,851
Bengal	219	864	2,097	1,996	1,901	2,570
Hong Kong	217	542	529	555	433	708
Other British Possessions	410	218	568	269	376	149
Total British Possessions	2,502	17,901	15,821	16,764	18,007	22,135
Foreign Countries :						
United States	3,237	10,159	27,944	28,713	32,318	55,079
Germany	1	788	759	820	1,672	1,230
Other Foreign Countries	336	236	556	417	470	507
Total Foreign Countries	3,574	1,183	29,259	29,950	34,460	56,816
TOTAL IMPORTS	31,088	47,180	68,605	73,695	71,743	100,563

* Practically all from the United States.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	TURPENTINE, &C.					
	£	£	£	£	£	£
United Kingdom	753	1,713	2,747	3,338	3,370	4,115
British Possessions:						
Victoria	—	30	194	675	4	388
New South Wales	10	656	93	351	127	617
Canada	—	—	—	125	—	—
Total British Possessions	10	686	287	1,151	131	1,005
Foreign Countries:						
United States	4,762	11,824	7,247	21,557	12,774	19,521
Other Foreign Countries	—	—	—	1	—	30
Total Foreign Countries	4,762	11,824	7,247	21,558	12,774	19,551
TOTAL IMPORTS	5,525	14,223	10,281	26,047	16,275	24,671
	VARNISH AND GOLD SIZE.					
United Kingdom	12,546	15,153	16,871	16,924	17,770	20,073
British Possessions:						
Victoria	106	204	231	293	278	258
New South Wales	119	481	639	861	802	692
Other British Possessions	—	—	12	8	16	1
Total British Possessions	225	685	882	1,162	1,096	951
Foreign Countries:						
United States	256	1,516	2,334	2,106	2,557	4,400
Germany	—	65	77	34	76	213
Belgium	—	—	—	—	—	10
Total Foreign Countries	256	1,581	2,411	2,140	2,633	4,623
TOTAL IMPORTS	13,027	17,419	20,164	20,226	21,499	25,647
	PAINTS AND COLOURS.					
United Kingdom	35,692	72,202	65,600	79,255	69,160	84,669
British Possessions:						
Victoria	364	606	364	732	1,604	1,092
New South Wales	34	864	1,407	2,150	980	2,304
Other British Possessions	—	—	—	7	—	79
Total British Possessions	398	1,470	1,771	2,889	2,584	3,475
Foreign Countries:						
United States	636	2,976	5,517	6,710	9,467	9,580
Germany	72	958	295	543	481	876
Belgium	—	241	102	406	154	750
Holland	—	—	217	590	515	843
Other Foreign Countries	26	—	20	53	2	36
Total Foreign Countries	734	4,175	6,151	8,302	10,619	12,085
TOTAL IMPORTS	36,824	77,847	73,522	90,446	82,363	100,229

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	DYES.					
	£	£	£	£	£	£
United Kingdom	7,980	12,596	11,152	12,626	7,448	8,546
British Possessions :						
Victoria	297	3,244	2,816	3,840	2,625	2,701
New South Wales	8	1,142	878	1,041	907	1,194
Other British Possessions	—	—	13	90	210	223
Total British Possessions	305	4,386	3,707	4,971	3,742	4,118
Foreign Countries :						
Germany	101	934	810	1,823	1,167	1,008
United States	26	402	63	83	182	30
Belgium	—	258	1,513	467	700	696
Other Foreign Countries	16	—	4	168	10	1,041
Total Foreign Countries	143	1,594	2,390	2,541	2,059	2,775
TOTAL IMPORTS	8,428	18,576	17,249	20,138	13,249	15,439
	TANNING MATERIALS.					
United Kingdom	874	3,007	4,720	1,959	1,364	1,760
British Possessions :						
Victoria	21,287	22,601	24,997	17,565	15,207	18,875
New South Wales	194	1,202	1,416	1,044	738	547
Tasmania	24,238	8,466	10,023	3,453	6,557	4,921
South Australia	3,016	5,333	6,926	12,045	8,700	7,709
Other British Possessions	4	1,713	935	757	570	426
Total British Possessions	48,739	39,315	44,297	34,864	31,772	32,478
Foreign Countries :						
United States	—	553	223	72	32	—
Germany	—	33	15	374	358	39
Other Foreign Countries	—	129	197	46	400	232
Total Foreign Countries	—	715	435	492	790	271
TOTAL IMPORTS	49,613	43,037	49,452	37,315	33,926	34,509

CLASS XI.—MISCELLANEOUS.

	VEHICLES: BICYCLES AND MOTORS, AND PARTS.					
United Kingdom	2,301	48,303	93,954	111,198	168,074	187,784
British Possessions :						
Victoria	—	29,141	24,308	26,664	37,992	55,575
New South Wales	—	7,136	6,256	2,781	4,209	2,751
Canada	—	8,038	4,200	9,169	2,852	3,417
Other British Possessions	—	12	32	279	22	11
Total British Possessions	—	44,327	34,796	38,893	45,075	61,754
Foreign Countries :						
United States	—	25,578	28,284	18,404	17,176	14,142
Germany	—	307	3,927	1,704	1,917	2,883
France	—	—	—	—	8,919	11,160
Belgium	—	—	411	16	2,156	1,246
Other Foreign Countries	—	130	7	—	154	440
Total Foreign Countries	—	26,015	32,229	20,124	30,322	29,871
TOTAL IMPORTS	2,301	118,645	160,979	170,215	243,471	279,409

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	VEHICLES, OTHER, AND PARTS.					
	£	£	£	£	£	£
United Kingdom	15,047	23,367	31,938	50,402	36,015	33,194
British Possessions:						
Victoria	289	950	1,061	3,210	4,605	6,012
New South Wales	2,673	6,005	11,546	8,149	9,303	9,245
Tasmania	—	224	234	3,210	238	93
Canada	—	—	612	4,572	2,010	2,850
Other British Possessions	325	69	63	17	15	—
Total British Possessions	3,287	7,248	13,516	16,158	16,171	18,200
Foreign Countries:						
United States	7,532	13,450	34,398	31,804	20,903	15,536
France	—	—	385	3,320	26	102
Germany	—	—	730	909	89	85
Belgium	—	—	653	408	40	—
Other Foreign Countries	9	13	—	862	17	—
Total Foreign Countries	7,541	13,463	36,166	37,303	21,075	15,723
TOTAL IMPORTS	25,875	44,078	81,620	103,863	73,261	67,117
	FURNITURE.					
United Kingdom	15,835	14,461	21,382	22,975	20,494	24,307
British Possessions:						
Victoria	766	2,066	2,584	900	790	2,626
New South Wales	718	2,217	2,272	1,118	1,622	1,592
Hong Kong	206	343	473	259	387	786
Canada	—	—	87	3,361	3,999	4,088
Other British Possessions	69	149	81	197	113	284
Total British Possessions ...	1,759	4,775	5,497	5,835	6,911	9,376
Foreign Countries:						
United States	5,714	16,285	14,225	14,976	12,660	10,881
Germany	2,116	8,298	6,429	8,952	5,473	4,522
Japan	74	1,263	1,190	1,591	1,910	2,074
Austria	—	404	712	1,903	3,986	3,725
Other Foreign Countries	43	32	92	661	249	266
Total Foreign Countries	7,947	26,282	22,648	28,083	24,278	21,468
TOTAL IMPORTS...	25,541	45,518	49,527	56,893	51,683	55,151
	WICKER AND WOOD: MANUFACTURES OF.					
United Kingdom	3,006	4,346	11,266	11,800	13,099	12,356
British Possessions:						
Victoria	153	1,676	2,406	2,997	3,858	4,243
New South Wales	784	1,433	6,409	6,368	6,677	8,307
Tasmania	—	—	43	38	84	—
Other British Possessions	69	140	273	723	1,007	*14,272
Total British Possessions ...	1,006	3,249	9,131	10,126	11,626	26,822
Foreign Countries:						
United States	7,174	7,215	22,707	26,647	27,604	23,489
Germany	63	742	7,009	8,132	6,530	6,304
Japan...	59	813	1,165	1,765	2,270	1,624
Belgium	—	—	—	501	522	46
Other Foreign Countries	12	4	312	69	275	117
Total Foreign Countries	7,308	8,774	31,193	37,114	37,201	31,580
TOTAL IMPORTS	11,320	16,369	51,590	59,040	61,926	70,758

* Practically all from Canada.

Country.	1890.	1900.	1903.	1904.	1905.	1906.
CORKS, CUT.						
	£	£	£	£	£	£
United Kingdom	3,930	6,162	7,363	9,109	6,796	5,900
British Possessions :						
Victoria	376	764	1,258	1,330	667	1,310
New South Wales	126	1,338	1,841	1,924	1,444	2,229
Other British Possessions	—	—	6	—	—	11
Total British Possessions	502	2,102	3,105	3,254	2,111	3,550
Foreign Countries :						
United States	17	41	88	35	26	46
Spain	—	159	299	109	308	1,654
Portugal	—	197	31	879	576	90
Germany	—	445	518	496	192	229
Other Foreign Countries	—	88	44	1	87	633
Total Foreign Countries	17	930	980	1,520	1,189	2,652
TOTAL IMPORTS	4,449	9,194	11,448	13,883	10,096	12,102
BRUSHWARE.						
United Kingdom	6,436	10,061	11,739	17,757	21,718	23,675
British Possessions :						
Victoria	69	44	82	255	1,124	808
New South Wales	220	436	323	262	2,098	3,047
Other British Possessions...	4	46	1	29	157	206
Total British Possessions	293	526	406	546	3,379	4,061
Foreign Countries :						
United States	641	2,012	1,816	1,383	2,574	2,148
Germany	119	1,078	1,331	2,828	2,131	1,841
France	—	—	—	162	320	94
Belgium	—	—	190	47	282	401
Other Foreign Countries	143	274	870	723	1,233	1,080
Total Foreign Countries	903	3,364	4,207	5,143	6.540	5,564
TOTAL IMPORTS...	7,632	13,951	16,352	23,446	31,637	33,300
SOAP, NOT OTHERWISE ENUMERATED.						
United Kingdom	3,577	8,392	7,899	8,411	16,223	17,802
British Possessions :						
Victoria	1,783	2,775	3,060	3,146	3,191	3,072
New South Wales	1,859	3,146	14,248	15,758	16,311	21,057
Other British Possessions...	—	1	9	210	352	276
Total British Possessions	3,642	5,922	17,317	19,114	19,854	24,405
Foreign Countries :						
United States	339	4,240	7,856	8,115	8,095	10,275
France	—	52	63	67	25	48
Germany	—	204	167	226	192	342
Other Foreign Countries	24	71	6	23	45	94
Total Foreign Countries	363	4,567	8,092	8,431	8,357	10,759
TOTAL IMPORTS	7,582	1,881	33,308	35,956	44,434	52,966

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	CANDLES.					
	£	£	£	£	£	£
United Kingdom	27,602	30,030	37,016	33,309	34,907	32,242
British Possessions:						
Victoria	255	135	453	1,457	364	3,391
New South Wales	1,070	472	1,126	161	114	132
Bengal	—	—	834	452	1,979	1,094
Burmah	—	—	2,148	7,470	4,278	9,434
Other British Possessions	1	14	388	8	10	2,152
Total British Possessions	1,326	621	4,958	9,548	6,745	16,203
Foreign Countries:						
United States	—	—	14,482	12,296	2	58
Other Foreign Countries	74	7	32	79	32	19
Total Foreign Countries	74	7	14,514	12,375	34	77
TOTAL IMPORTS	29,002	30,658	56,488	55,232	41,686	48,522
	MATCHES AND VESTAS.					
United Kingdom	29,775	7,171	6,913	5,901	7,351	20,776
British Possessions:						
Victoria	253	298	311	414	13	169
New South Wales...	484	677	130	61	1,215	328
Total British Possessions ...	737	975	441	475	1,228	497
Foreign Countries:						
United States	—	16	34	1	3	—
Germany	470	1,475	1,224	1,740	1,076	2,879
Belgium	39	1,737	2,242	738	1,725	3,869
Sweden	—	262	24	123	341	573
Other Foreign Countries	60	203	598	145	315	1,092
Total Foreign Countries	569	3,693	4,122	2,747	3,460	8,413
TOTAL IMPORTS	31,081	11,839	11,476	9,123	12,039	29,686
	PIPES (FOR SMOKING TOBACCO), &C.					
United Kingdom	8,925	20,911	30,984	21,938	21,259	20,849
British Possessions:						
Victoria	607	48	308	110	43	11
New South Wales	69	470	435	343	416	496
Other British Possessions	1	—	—	1	1	6
Total British Possessions	677	518	743	454	460	513
Foreign Countries:						
Germany	105	629	1,226	1,828	1,761	1,070
France	262	120	254	426	917	492
Belgium	15	—	43	182	312	262
United States	—	106	91	87	147	138
Other Foreign Countries	—	37	6	43	94	52
Total Foreign Countries	382	892	1,620	2,566	3,231	2,014
TOTAL IMPORTS...	9,984	22,321	33,347	24,958	24,950	23,376

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	BLACKING AND DRESSING.					
	£	£	£	£	£	£
United Kingdom	2,323	2,325	7,501	10,928	14,779	20,556
British Possessions :						
Victoria	72	310	843	520	315	244
New South Wales	30	135	50	64	288	221
Other British Possessions...	—	—	—	6	420	60
Total British Possessions	102	445	893	590	1,023	525
Foreign Countries :						
United States	398	718	850	1,030	1,423	1,486
Other Foreign Countries	11	—	—	—	—	12
Total Foreign Countries	409	718	850	1,030	1,423	1,498
TOTAL IMPORTS	2,834	3,488	9,244	12,548	17,225	22,579
	INDIARUBBER AND MANUFACTURES.					
United Kingdom	3,828	7,394	7,018	5,958	8,054	6,939
British Possessions :						
Victoria	50	356	2,173	1,368	2,804	2,903
New South Wales	70	920	1,305	635	546	1,492
Other British Possessions	2	—	110	72	31	82
Total British Possessions	122	1,276	3,488	2,075	3,381	4,477
Foreign Countries :						
United States	320	798	1,853	3,837	3,327	2,247
Germany	—	143	208	523	589	663
Other Foreign Countries	—	—	13	2	3	—
Total Foreign Countries	320	941	2,074	4,362	3,919	2,910
TOTAL IMPORTS	4,270	9,611	12,580	12,395	15,354	14,326
	PLATED WARE.					
United Kingdom	5,853	27,597	48,997	63,619	64,836	81,391
British Possessions :						
Victoria	72	1,182	592	1,358	278	263
New South Wales	612	3,762	2,185	2,422	3,094	3,305
Canada	—	—	—	342	198	95
Other British Possessions...	—	62	204	98	110	146
Total British Possessions	684	5,006	2,981	4,220	3,680	3,809
Foreign Countries :						
United States	231	3,608	3,245	2,991	2,074	2,657
Germany	62	544	768	1,563	1,355	1,597
Belgium	—	—	387	—	36	—
Other Foreign Countries	—	57	17	177	168	42
Total Foreign Countries	293	4,209	4,417	4,731	3,633	4,296
TOTAL IMPORTS...	6,830	36,812	56,395	72,570	72,149	89,496

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	JEWELLERY AND PRECIOUS STONES.					
	£	£	£	£	£	£
United Kingdom	11,332	20,825	24,277	16,043	8,745	10,177
British Possessions:						
Victoria	1,147	51	3	640	282	706
New South Wales	625	1,037	756	661	1,083	763
Other British Possessions	147	2	30	82	16	312
Total British Possessions	1,919	1,090	789	1,383	1,381	1,781
Foreign Countries:						
United States	133	1,086	463	235	103	33
Germany	—	112	76	227	57	242
Other Foreign Countries	21	—	98	1	—	1
Total Foreign Countries	154	1,198	637	463	160	276
TOTAL IMPORTS...	13,405	23,113	25,703	17,889	10,286	12,234
	PICTURES.					
United Kingdom	2,756	4,025	4,903	5,266	6,446	7,452
British Possessions:						
Victoria	266	102	565	1,900	1,814	1,536
New South Wales	1,089	556	1,224	798	1,530	888
Queensland	—	2	11	397	36	—
Other British Possessions...	52	25	47	28	20	28
Total British Possessions	1,407	685	1,847	3,123	3,400	2,452
Foreign Countries:						
United States	257	401	2,228	1,563	1,994	1,488
Germany	101	205	107	356	369	585
Italy	—	—	132	—	34	—
Other Foreign Countries	3	6	22	99	101	166
Total Foreign Countries	361	612	2,489	2,018	2,498	2,239
TOTAL IMPORTS...	4,524	5,322	9,239	10,407	12,344	12,143
	COAL.					
United Kingdom	4,629	7	15	226	240	142
British Possessions:						
New South Wales	92,238	120,379	158,128	137,427	155,475	194,612
Other British Possessions...	5,299	20	—	437	71	387
Total British Possessions	97,537	120,399	158,128	137,864	155,546	194,999
Foreign Countries:						
United States	—	—	—	3	—	—
Total Foreign Countries	—	—	—	3	—	—
TOTAL IMPORTS	102,166	120,406	158,143	138,093	155,786	195,141

Country.	1890.	1900.	1903.	1904.	1905.	1906.
			CEMENT.			
	£	£	£	£	£	£
United Kingdom	32,969	36,753	74,064	67,801	69,954	65,522
British Possessions :						
Victoria	—	100	—	—	2	—
New South Wales	5	60	1,076	383	16	—
Total British Possessions	5	160	1,076	383	18	—
Foreign Countries :						
United States	—	12	8	—	1	1
Germany	660	1,823	—	2	—	1
Other Foreign Countries	—	—	—	93	22	25
Total Foreign Countries	660	1,835	8	95	23	27
TOTAL IMPORTS	33,634	38,748	75,148	68,279	69,995	65,549
			MANURES.			
United Kingdom	19,007	26,067	15,196	18,569	44,590	29,772
British Possessions :						
Victoria	573	1,006	1,202	2,990	5,027	6,912
New South Wales	13,505	38,961	24,402	31,880	27,517	42,395
South Australia	2,340	763	698	640	1,980	2,774
Western Australia	2,400	—	2,535	2,640	—	—
Queensland	4,592	7,590	—	—	28	36
Bengal	1,159	7,979	29,162	43,254	60,991	42,272
Singapore	—	—	—	6,135	3,125	7,512
Malden Island	—	12,665	3,965	6,861	9,654	19,613
Ocean Island	—	—	3,625	—	—	—
Other British Possessions	—	465	53	—	74	—
Total British Possessions	24,569	69,429	65,642	94,400	108,396	121,514
Foreign Countries :						
United States	—	14	4,212	15	1,117	1,589
Germany	230	6,349	7,501	5,151	9,488	17,489
Belgium	—	150	2,555	2,183	3,024	3,052
Japan	20	—	23,698	14,043	199	26,050
South Sea Islands	14,090	10,278	1,907	5,703	6,920	10,372
Holland	—	—	—	7,931	—	—
Total Foreign Countries	14,340	16,791	39,873	35,026	20,748	58,552
TOTAL IMPORTS...	57,916	112,287	120,711	147,995	173,734	209,838
			SEEDS.			
United Kingdom	75,786	37,981	58,021	51,918	66,134	63,052
British Possessions :						
Victoria	1,253	790	1,860	1,675	782	808
New South Wales	1,372	1,225	1,847	1,884	5,538	6,791
Tasmania	1	18	106	197	67	34
Canada	—	—	116	6,370	—	525
Other British Possessions...	91	116	961	290	12	49
Total British Possessions	2,717	2,149	4,890	10,416	6,399	8,207
Foreign Countries :						
United States	6,539	12,235	25,349	19,842	8,194	14,055
Germany	4,930	1,042	4,964	3,586	7,364	9,573
France	—	210	121	222	217	137
Holland	—	—	191	564	1,432	1,173
Other Foreign Countries	38	163	1,235	335	265	185
Total Foreign Countries	11,507	13,650	31,860	24,549	17,472	25,123
TOTAL IMPORTS...	90,010	53,780	94,771	86,883	90,005	96,382

Country.	1890.	1900.	1903.	1904.	1905.	1906.
	COTTON WASTE AND WICK.					
	£	£	£	£	£	£
United Kingdom	3,088	8,617	9,305	11,340	14,995	12,467
British Possessions:						
Victoria	72	59	92	29	—	53
New South Wales	93	373	220	173	28	14
Other British Possessions	60	30	—	—	—	2
Total British Possessions	225	462	312	202	28	69
Foreign Countries:						
United States	—	52	111	11	2	10
Other Foreign Countries	—	6	96	122	—	—
Total Foreign Countries	—	58	207	133	2	10
TOTAL IMPORTS	3,313	9,137	9,824	11,675	15,025	12,546
	ANIMALS OF ALL KINDS.					
United Kingdom	6,147	12,181	7,230	9,374	7,322	8,712
British Possessions:						
Victoria	2,336	3,311	16,257	9,707	3,125	2,351
New South Wales	2,830	8,139	15,652	8,215	8,606	6,786
Tasmania	364	210	592	391	778	141
Fiji	18	4	3	226	—	40
Other British Possessions	1,372	487	1,725	185	112	191
Total British Possessions	6,920	12,151	34,229	18,724	12,621	9,509
Foreign Countries:						
United States	—	95	652	418	1,813	765
Other Foreign Countries	12	—	—	—	95	—
Total Foreign Countries	12	95	652	418	1,908	765
TOTAL IMPORTS	13,079	24,427	42,111	28,516	21,851	18,986

QUEENSLAND.

PAPERS

RELATIVE TO THE

WORKING OF TAXATION ON THE UNIMPROVED VALUE OF LAND IN QUEENSLAND.

(*In continuation of* [Cd. 3761] *September*, 1907.)

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(Sent 4.45 p.m., April 5, 1906.)

Telegram.

April 5, 1906. Please send home as soon as possible any reports or other information available as to working of taxation on unimproved value of land, both for Municipal and State purposes, in Queensland. Information specially desired as to effects of land value taxation on building trade, on rent, on incidence of taxation, on house property and vacant sites, respectively, and on land speculation.—Elgin.

No. 2.

The DEPUTY-GOVERNOR to the SECRETARY OF STATE.

(Received June 25, 1906.)

Government House, Brisbane, Queensland,
May 15, 1906.

My Lord,

In reply to your Lordship's telegraphic despatch, received on the 6th April ultimo,* asking for information as to the working of taxation on unimproved value of land for Municipal and State purposes in Queensland, I have the honour to submit a letter from the Premier, in which he states that he has been unable to obtain the particulars desired.

2. To-day I sent your Lordship a cablegram† to the above effect.

I have, &c.,
JOHN COOPER,
Deputy-Governor.

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* No. 1.

† Not printed.

1500 G 889 Wt 27318 2/08 D & S 5 30938

Enclosure in No. 2.

SIR,

Chief Secretary's Office, Brisbane, May 8, 1906.

ADVERTING to a telegraphic despatch which your Honour received from the Secretary of State for the Colonies on the 6th April last, asking for information as to the working of taxation on unimproved value of land for Municipal and State purposes in Queensland, I beg leave to inform your Honour that neither from any Public Department nor from the Local Authorities Association can I get the particulars desired. It is understood, however, that Mr. L. G. Corrie, the late Mayor of Brisbane, is preparing for the Association referred to a report on the subject, and I shall endeavour to obtain from him as soon as possible what information he has been able to collect on the matter.

I have, &c.,
A. H. BARLOW,
Acting Premier.

His Honour
The Deputy-Governor,
Brisbane.

No. 3.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received September 16, 1907.)

MY LORD,

Government House, Brisbane, Queensland, August 8, 1907.

ADVERTING to your Lordship's telegraphic despatch of the 6th April, 1906,* relative to the taxation in Queensland on the unimproved values of land, I have the honour to forward herewith a copy of a letter received on the subject as a result of enquiries made by the Treasury Department of this State.

I have, &c.,
CHELMSFORD,
Governor.

Enclosure in No. 3.

SIR,

The Treasury, Brisbane, July 23, 1907.

WITH further reference to cable message of the 6th April, 1906, from the Secretary of State for the Colonies, asking for information as to the working of taxation on unimproved values of land, I have the honour to point out that there is no such tax collected by the Government of this State.

I may add that the State is divided into Local Government areas. These areas are governed by elective Local Authorities who are charged with the construction and control of all roads, bridges, ferries, wharves, jetties, and other necessary public works. The Local Authorities have power to levy for these purposes general rates not exceeding threepence in the £ on the unimproved land value of the properties in the area; also special rates for such purposes as water supply or tramway construction, &c.

The effect of this land value taxation has been to depreciate the value of land held for investment or speculative purposes and to stimulate the utilization of vacant land when practicable so as to obtain some return for the rates paid. The exemption of improvements from taxation has a tendency to encourage building operations.

As regards the effect on rents, it is obvious that the rentals from improved properties can be lower with taxation on land only than they would have to be to give the same percentage of return if the improvements were also taxed.

I have, &c.,
T. W. CONNAH,
Under-Secretary.

The Under-Secretary,
Chief Secretary's Department,
Brisbane.

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* No. 1.

No. 4.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 28, 1907.)

MY LORD, Government House, Brisbane, Queensland, November 19, 1907.

I HAVE the honour to forward herewith a copy of Mr. Corrie's report on the taxation of land values as requested in your Lordship's despatches of the 7th of March and the 25th of September last.*

The report in question has only quite recently been published and the apparent delay in forwarding it was due to this cause.

I have, &c.,
CHELMSFORD,
Governor.

Enclosure in No. 4.

UNIMPROVED LAND VALUE TAXATION IN QUEENSLAND

By LESLIE GORDON CORRIE, F.L.S. (Lon.), President, Queensland Institute of Architects.

(Brisbane, 1st August, 1907.)

By Authority:

George Arthur Vaughan, Government Printer, William Street.

1907.

UNIMPROVED LAND VALUE TAXATION IN QUEENSLAND.

PROVISION OF LEGISLATION.

Queensland was constituted a colony in 1859 by separation from New South Wales, and in 1901 was constituted one of the States of the Commonwealth of Australia.

Local government in the new colony was at first conducted under the then existing New South Wales laws.

The Queensland Parliament duly formulated its own local government statutes, such as the "*Municipal Institutions Act of* 1864," with its various amending Acts, &c.

In these early statutes the usual annual value mode—including improvements, if any—was provided as the means for local government rating, the income so raised being more or less endowed out of the colony's consolidated revenue.

In 1878 (GRIFFITH, Premier), "*The Local Government Act of* 1878" was passed for the consolidation and amendment of the existing laws relating to municipal institutions, and to provide more effectually for local government.

This principal statute dealt with all the existing areas controlled by local government—eighteen in number—and also made provision for the optional extension of the system to the rest of the colony.

In the case of ordinary rateable property, the valuation was to be computed on the net annual value, including improvements.

Pastoral tenants were to be rated on the annual value of those Crown lands leased to them.

In 1879 (McILWRAITH, Premier), a Bill was introduced to provide for local government in areas outside municipalities, these latter to remain controlled by the existing Act.

The new statute was intituled "*The Divisional Boards Act of* 1879," the areas coming under it to be called Divisions.

In this new Act will be found the initial steps in the direction of the exclusion of the values arising through improvements.

Its framers were charged on the one hand with bias in favour of the squatting industry, because the Bill provided for the annual rents payable on the leased Crown lands, in place of the annual value of the same being taken as the valuation basis. On the other hand, it was contended the introduction of any such measure was a direct attack upon the country districts, the settlement and improvement of the lands within which (consisting as they almost entirely did upon lands leased from the Crown) was of such vital importance to a young and practically unsettled country, that it was considered the national funds ought to provide for local expenditure.

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* Not printed.

The discussions on this measure form instructive reading, as the same centre round the question of the inequity, under certain conditions, of rating improvements.

Through these debates came some little advance towards unimproved land value rating, though the essence of the principle was imperfectly grasped, the strongest advocates for concession on improvements in the country districts declaring themselves solidly in favour of full toll on improvements elsewhere.

It was suggested in the Legislative Assembly that, as considerable areas of country lands were either under lease or in process of conditional purchase, or by homestead selection, from the Crown, with certain improvements obligatory, it was only fair that such improvements be excluded from any incidence of value for rating purposes, if for no higher reason than that conditional purchasers might otherwise delay carrying out those obligatory improvements to the great disadvantage of the district and colony.

An endeavour to exclude all improvements other than houses and buildings, in regard to the annual value of country lands, was defeated, and the Bill, when transmitted to the Legislative Council, went no further than to provide, in the case of general rateable property, for having a separate valuation made of houses and buildings only, and for the deduction from the total annual rent value of "an amount equal to one-half that portion of such rent as shall be deemed to arise from any house or buildings that may be situated on such rateable property."

In the case of homestead or conditional selections, the capital value of the land was to be taken as no greater than its selection price, and in the instance of Crown lands under pastoral leases the annual rent payable was to form the basis for any valuation—in both cases, as before, one-half only of the value incidental to the existence of houses and buildings was to be taken into consideration.

Mines were to be valued as for the annual value of the surface use of the land only, along with the annual value of any buildings on the land, all mineral value being excluded, as well as any value arising from machinery.

The amendments made by the Legislative Council did away with the exemption of minerals, provided in the case of country lands for exclusion of improvements other than houses and buildings, and that, in the valuation of pastoral leases consideration should be given, in any estimate of their annual value, *beyond* the mere item of rent payable to the Crown.

The Assembly, which might in any case have combated these amendments, raised an unanimous objection to the Council's proposals; members who had been dissatisfied with the Bill as sent from the Lower House joining issue with the Government upon what was regarded as the bigger question raised through the Council infringing upon the privileges of the Assembly, it being held that the amendments made in these valuation clauses altered the principle of taxation. Upon its retransmission the Council returned the Bill again to the Assembly.

The Assembly, while reiterating its constitutional right, supplied fresh reasons why the Council should not insist upon its amendments. With these new reasons the Council, after prolonged debate, confessed to being satisfied.

In 1886, the Government (GRIFFITH, Premier) brought in a Bill to consolidate and amend the laws relating to local government outside the boundaries of municipalities.

Owing to the desire expressed for the stimulation of improvements in country districts, an endeavour was made by the Government to further discriminate as between rural and urban rating.

As introduced, the Bill provided for valuing country lands much as was afterwards provided in the valuation Bill of 1887, viz.:

> While the mode of valuing was not to be altered, the amount of tax leviable on the annual values was to range from 5 per cent. to 10 per cent., with a special concession in favour of any land "fully" improved. For homestead and conditional selections, agricultural farms, and pastoral leaseholds special allowances were made because of the specific conditions controlling each.

Mines to be treated as before.

As the debate proceeded, the Premier introduced an important amendment that the capital value of country land, upon which any annual value was to be based, should be taken at the fair average value of unimproved land of the same quality in the same neighbourhood. This meeting with general acceptance, was passed in the Assembly. It covered a distinct advance towards the exclusion of improved values, and went further than the Legislative Council's proposal, made in its amendment to the 1879 Bill, which had provided for the exclusion of improvements other than houses and buildings.

When this 1886 Bill reached the Council, while little exception was taken to the proposed exclusion of improvements in the valuation of country lands, various amendments were carried, modifying the limits fixed by the Assembly as to the rates to be levied, so once again the Constitutional question came up, and, after some cross-firing, the Council disposed of the business by a summary resolution postponing further consideration for six months.

In 1887, Sir Samuel Griffith succeeded in passing a Divisional Boards Act, consolidating and amending the laws relating to local government outside the boundaries of municipalities.

The question of valuation was excluded from this Bill, the same being anticipated and provided for in a Bill passed in the same session of Parliament, intituled "*The Valuation Act of* 1887," which repealed all the clauses dealing with valuations contained in any previous local government statute.

This general valuation statute of 1887 provided in case of town and suburban lands for very slight alteration in the previous method of valuation, the rates having to be based upon the annual value on valuations which included improvements, and made as follows:—

> In the case of ordinary rateable property, the annual rental was to be estimated as a sum equal to two-thirds of the rental value, including improvements, the other third being written off to cover taxes, upkeep, &c.

In this measure advance towards the exclusion of improvements came through the limits of taxation fixed, for, while the same could be only as low as 5 per cent. upon the fair capital value of ordinarily improved land held in fee-simple, should such land be improved "to the extent that might reasonably be expected, having regard to the situation of the land and the nature of other improvements upon other lands in the same neighbourhood," then in the case of such so-called "fully" improved land, the minimum of five pounds per centum was *not* insisted upon. While if the land was unimproved, eight pounds per centum was the minimum fixed.

In this way was provided a small penalty upon unimproved land, and a permissive rebate in the case of "fully" improved land.

With respect to country land, the notable advance proposed in the 1886 Bill was reintroduced, viz., that such lands should be all estimated at the fair average value of unimproved land of the same quality in the same neighbourhood, the annual value to be taken at a certain percentage upon this capital value, thus eliminating any question of value coming through improvements.

The annual value of pastoral properties, viz., Crown land held under lease or licence or as a grazing farm, was to be taken as equal to the annual rent payable.

Mining lands were to be valued as had been laid down in 1879.

In 1890, the finances of Queensland cause grave concern. The Government of the day (Morehead, Premier), in open acknowledgment of the good to the colony arising through local government expenditure suggested no interference with the endowment for local bodies, and was providing for an expenditure of £265,000 in this connection.

To increase the consolidated revenue a tax upon property of all description was proposed, the unfavourable reception of which led, in great measure, to this Government's resignation.

The Morehead Government was succeeded in the same year (1890) by the Coalition Government (Sir Samuel Griffith, Premier, and Sir Thomas McIlwraith, Treasurer).

A leading feature of its programme was the early submission to the Assembly of a Valuation and Rating Bill, described by the Premier as "The complement of the proposals made to reduce the Endowments paid to Local Authorities."

It is interesting to note that it was for no reason arising within local government itself, nor through any dissatisfaction on the part of the public with the obtaining order of things that a change was proposed, but simply to afford relief to the consolidated revenue of the colony.

This Valuation and Rating Bill of 1890, as introduced, provided in the main for securing to local authorities extended powers for the raising of revenue in order that assistance from the central Government might be largely reduced.

As explained by the Premier, it was further considered preferable for local authorities to raise their own revenues directly themselves.

The threatened increase of local taxation attracted immediate attention. The existing procedure was working without any complaint whether from residents in the towns paying more or less rates upon improvements as well as upon the land value, or from dwellers in the country, who, it would appear, hardly recognised that their local taxation conformed to a simple land tax.

In this relation, it should be noted that so considerable an endowment was received from the Government, *i.e.*, £2 for every £1 raised locally by the divisional boards, that no very critical attention was directed to any principle of local rating.

Under the new proposals a very different position was to be set up.

Parliament had more or less semi-unconsciously led or been led in the direction of taxing land only for the purposes of local government, and the Premier was able to state, when he was introducing the new Bill, that he believed taxing improvements was always distasteful to the Queensland Assembly; but while he frankly admitted that it would be more symmetrical to place the whole burden on the unimproved value of the land, all the same it was proposed to provide for rating all lands upon the annual value, improvement to be counted in the valuation, with the proviso, however, that no greater rate than one shilling in the pound of annual value could be so levied, any additional rate to be based upon the unimproved capital value.

Had these provisions been carried, there would have been an advance in the direction of some exclusion of improvements in the case of town and suburban properties, and there would have been a return in country areas to the inclusion of improvements.

In the House of Assembly, as the question was debated, member after member, for one reason or another, expressed himself more or less in favour of generally excluding improvements. The reason given for such an opinion was in some cases no higher than that unimproved value rating would be simpler for the local authority's officials.

It is exceedingly interesting to note in a House composed of members so many of whom were or had been intimately connected with local government, how exceedingly little argument was available against, or for the matter of that in favour of, so drastic a proposal; it would appear as if the community had become gradually prepared for the introduction of this important innovation.

Considerable opposition was offered to the exclusion of improvements by some members, themselves also members of local authorities, whilst other members similarly situated ranged themselves as "content."

The Premier himself was quick to make up his mind in the direction to which it would appear he had been previously inclined, and noting the temper of the House, actively promoted the general exclusion of improvements, except in the case of mining lands, and had the Bill amended in this direction.

Sir Samuel Griffith from this out allowed no hindrance to the unimproved basis for valuation, and later, when the historic dispute between the two Houses again arose over this particular Bill, while the Assembly was prepared to modify its provisions in other directions, the rating upon unimproved land values was declared by the leader of the Government to be vital, and that no interference with it could be accepted, so that finally the Legislative Council, which had previously refused to entertain what it had termed the leading principle of the Bill, gave way, and at the finish affirmed the innovation.

So the basis for the valuation of property from which Queensland local authorities were empowered to raise revenue was carried a further step towards the culmination adopted in "*The Local Authorities Act of* 1902."

"*The Local Authorities Act of* 1902" (Philp, Premier), was a most comprehensive statute. With the exception of health—to deal with which a special Act had recently been brought in—it consolidated the whole of the laws relating to local government, repealing all old ones, including the special valuation and rating Acts.

In this statute the total exclusion of improvements in any valuation was confirmed with little opposition from within and none from without the Legislature. All rateable property, no matter of what description or where situated, was to be valued "at the fair average value of unimproved land of the same quality held in fee-simple in the same neighbourhood."

Any question of the annual value was in this 1902 statute finally dropped.

Some provisions in this Act must be noted. These do not affect the principle involved, relating as they do solely to Crown lands held under peculiar tenure on gold or mineral fields or similar lands rented from the Government:—

1. Leased Crown lands on goldfields were now to be valued at twenty times the rent payable to the Crown.
2. Land held under other tenure peculiar to gold or mineral fields was now to be estimated as of the same value as similar unimproved land in the neighbourhood held in fee-simple or, in the absence of any such, then at one and one-half times the fair average value of the land of the same quality and held under the same tenure in the same neighbourhood, always without any regard to any improvements or mineral value.
3. Land held under lease or licence from the Crown was now to be valued at a sum equal to twenty times the amount of the annual rent payable; with the proviso that, in the case of land in respect of which an estate in fee-simple could be acquired by the owner or other person, then this land to be valued as provided for ordinary privately-owned land.

In this 1902 statute was swept away the last shred of consideration as regards improvements as a factor in any valuation of rateable property for local government purposes.

Thus, slowly, in successive steps, has an unimproved land tax been accepted by land-owners and the general public, as a basis upon which to carry on the general functions of local government.

That the rates raised thus from the land are spent again locally, it is believed largely to the enhancement of the land, doubtless carries the acceptance of what would otherwise be far from a popular mode of raising revenue.

It is interesting to note how the existing order of things was affected as the new mode of valuing came into operation.

So long as the Government endowment was so considerable—averaging as it did for an extended period a payment of £1 for every £1 locally raised in the municipalities and shires and £2 for every £1 locally raised by the divisional boards—scant attention was paid to the mode of valuation.

The advent of "*The Valuation and Rating Act of* 1890" excluding improvements, along with the knowledge that endowment was going to be immediately curtailed, caused great uneasiness in local government circles, accentuated in the case of municipalities, which had not only to prepare for striking increased rates, but also to considerably modify their basis for doing so.

The usual forebodings of disaster were not wanting.

The Legislative Council, in 1890, had only concurred in the innovation under the strongest pressure. In that House the unimproved land value basis for rating had been termed "experimental legislation," and was considered as an attempt to thrust a new principle upon the people without proper consideration. For the latter charge there were substantial grounds. This so-called single tax upon unimproved land values, as the basis for raising revenue for the principal operations of local government in a colony holding the extensive and diversified areas and interests existing in Queensland had, as a fact, developed *during* the discussions on the 1890 Bill in the Assembly.

This principle had neither been introduced in the new Bill nor was it at first advocated by its framers. The local authorities had in no way been consulted, and to this great and reasonable exception was taken—a postponement of the measure being strongly advocated, so that the local bodies might give consideration to the novel proposition. The necessary time for any postponement, in the opinion of the Government, could not be conceded, and the House affirmed the immediate proceeding with the measure.

There was no precedent in any British-speaking or other community as to the proposed mode of valuation to raise such extensive revenues.

Quite a shock was given to some of the older parliamentarians to discover, through the candid utterances of one strong advocate[*] of the principle that it was a simple land tax.

The ablest debater[†] in the Legislative Council, at the initiation of the debate, spoke as follows:—

> He thought the question had not been properly considered by the country. It was an attempt to thrust a new system upon the people without proper consideration.

And the same speaker, at that time facetiously termed "the leader of the Opposition" in the Upper House, when the Council finally gave its consent, while expressing regret at the adoption of the principle, said:—

> It is now becoming the law that the system of taxation should be upon the unimproved value, but I have no doubt but experience of that system will enlighten us very quickly as to its effects.
>
> Whether those who advocate this system are right in saying that its effects will be the gradual extinction of capital value of freehold land—that is, the basis upon which advanced thinkers who are in favour of certain views advocate the tax upon unimproved values—we shall see, and before many years are over many of us will have learnt a new lesson in political economy.

Numerous were the opponents to the measure outside the Legislature, and varied the prognostications of disaster.

The local authorities themselves had the briefest time for consternation. It had been generally believed that the Upper House under no circumstances would adopt the innovation.

The consent of the Legislature not being secured until early in December, and the statute coming into operation within a few weeks, general confusion was experienced, and most anxious work devolved on the local bodies.

To take the instance of Brisbane city, wherein some millions of pounds in value were involved: Unless the requirements of the statute—viz., having the valuation made on the new basis, and approved, and due notice of the same served, with full allowance for legal appeal on the part of every property-owner, could all be put through with celerity—viz., within a few months—then the receipt of rates must inevitably be so delayed as to cause considerable embarrassment of an acute financial nature.

Little of a concrete character is in evidence concerning the initial working of the new statute. A good many of the local bodies found their hands so full owing to the innumerable appeals made against the new valuations that scant time was afforded for criticism or grumbling.

Referring to this period, in a mayoral report submitted to the Brisbane City Council in 1903, the writer included the following:—

> In the first year of its application the new system caused considerable difficulty over the colony in the attempt to arrive at equitable comparative values, and in educating ratepayers in the new principle involved.
>
> The necessity for securing an aggregate revenue under the new equivalent to what had been proved requisite under the old method, gave the Council in those days no little anxiety, especially in view of the wholesale appeals lodged by ratepayers in 1891 against the valuations before they became seized of the position.

The following table gives the valuations from 1890 to 1902:—[‡]

Year.	Valuation.
1890 (under old system)	£9,061,450
1891 (under new system)	8,800,351
1892 ,,	7,814,185
1893 ,,	6,745,553
1894 ,,	6,363,308
1895 ,,	5,807,541
1902 ,,	5,882,055

It will be noted in the first year only some £261,000 was written off on account of improvements, and that it took several years to bring the city valuations upon a basis to stand the ordeal of the appeal courts.

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[*] Hon. B. B. Moreton.

[†] Hon. A. J. Thynne.

[‡] In 1903, Brisbane was enlarged by the absorption of the Division of Booroodabin. For the land in the same area—viz., the five old wards which had constituted the City before its enlargement, the valuation last year (1906) amounted to £5,502,988.

It must be pointed out in this relation that the reduced valuations of 1895—viz., a reduction as from 1890 of some three and a-quarter millions—is not all accountable for on the score of the exclusion of improvements, it being to some extent due to the Australian financial crisis of 1893 causing serious shrinkage in land values, from which, indeed, they are only now beginning to recover.

While in the towns the new system caused such a radical upsetting of the old order of things—of what had come to be regarded as the hereditary burden of improved property—in country districts, except that heavier rates had to be struck to compensate for the endowment loss, very little change was involved.

ATTITUDE OF THE LOCAL GOVERNING BODIES.

A search through the available documents proves how little evidence can be met with concerning the working of the Queensland system of rating upon unimproved land values for the general revenue purposes of local government.

To such pertinent evidence as is available it appears desirable to make fairly extensive reference.

In the face of the knowledge that the various local authorities by silence seemingly consent to this mode of valuation, the attitude of these bodies in favour of the system must necessarily be based largely in a negative way.

NORTHERN OPINION.

In the North of Queensland very great interest has always been evinced in matters appertaining to local government, and the various statutes and amending Acts came in for due criticism by the individual authorities, and again by the various authorities in conferences assembled for the purpose.

The third sitting of the Conference of Northern Local Authorities was held in the Town Hall, Charters Towers, in June, 1893.

This was after two years' experience of "*The Valuation and Rating Act of* 1890," which had eliminated all incidence of improvements except in the valuation of land held under any tenure peculiar to goldfields in which the value of buildings erected on the land was to be included.

Various resolutions were passed by this Northern conference embodying suggested improvements in the law, and it is notable that the only one touching upon the basis of valuation was the proposal to reduce the only incidence of improved value left—viz., that in the case of land on goldfields—so that only one-third of the value of the buildings should be taken into consideration

ROYAL COMMISSION OF 1896.

In the year 1896—viz., some five years after the general inception of the new valuation system—an important Royal Commission, having an extensive and representative *personnel*, was summoned by Parliament, and commissioned to go fully into all matters appertaining to local government in order that all the laws relating to the same might be consolidated and amended.

The Commission sat in Brisbane, was occupied for two months, examined many witnesses, gave consideration to information received by circular or otherwise from the local governing bodies, and had under review a mass of official correspondence which had been from time to time received by the Government departments from local authorities and others, covering suggestions as to amendments in the existing law.

In addition to the recommendations made in its report, the Commission submitted for the consideration of the Government a draft Bill* to provide for the consolidating and amending of the laws relating to local authorities.

In this draft Bill the principle of raising revenue solely upon an unimproved land value is fully confirmed.

At the various sittings of the Commission, while all the multifarious operations of local government were open for discussion, and opportunity given to bring forward any actual or supposed disadvantage or suggested improvement, the exhaustive proceedings of the Commission disclose only four relevant references to the valuation question.

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* Really overhauled and further amended a draft Bill already prepared.

Two of these occur in the evidence—one, when Mr. W. H. G. Marshall (the Town Clerk of Brisbane city), in reply to questions, said that he did not consider it would be desirable to revert to annual rental upon improved values as a basis for valuation; the other, when Mr. J. W. Hill (the Town Clerk to the Borough of South Brisbane) stated he considered the old mode of rating on improved values to be fairer than the new, and that he did not think ratepayers held any sentimental objections to the rating of improvements.

These individual opinions are remarkable, coming from the sources they do, for the reason that, while the Mayor of Brisbane* in his seat in the House of Assembly in 1890 had been genuinely opposed to the new mode of rating for fear of some unsatisfactory incidence in respect of city properties, a South Brisbane alderman,† also in the Assembly, was all along one of the warmest advocates of the proposed new system.

The Royal Commission's circular to all local authorities requesting information as to the administration of the local government laws, and soliciting suggestions for the improvement of the same, elicited replies to the number of ninety-six, including various volunteered local communications and some information sent from the other colonies; all were fully considered by the Commission.

Two local authorities only touched on the unimproved land basis for valuation —one, *inter alia*, writing it considered that in small townships an advantage would accrue were the local authority permitted to strike a rate upon the improved rental value in such area as might be specially proclaimed by the Governor in Council, while the other considered that such objection as it had to the loss of revenue arising through improvements being no longer rateable, would be met if a slightly higher minimum of valuation was conceded.

These were the only criticisms evoked upon the principle, and, in face of the implied approval of the unimproved land value basis for rating on the part of everyone else, do not seem to have been seriously considered by the Commission.

The principle laid down in the 1890 Act for the valuation of Crown lands on goldfields and elsewhere held under some peculiar or inferior tenure, considerably exercised the Commission, and various suggestions were submitted in the report, the most important of these being afterwards embodied in the 1902 statute.

LOCAL AUTHORITIES ASSOCIATION.

In 1896 was formed the Local Authorities Association of Queensland, "To watch over and protect the interests, rights, and privileges of local authorities; to take action in relation to any subject affecting local bodies or local legislation; and to promote the efficient carrying on of local government throughout the colony."

Some twenty-six of the most important local authorities were the association's first members, and the roll has gone on until it now embraces 135 out of 160 local authorities in all Queensland.

In addition to holding an annual conference, always representatively attended,‡ the association has a permanent executive, which meets at about six-weekly intervals to consider and give effect, so far as possible, to the various requests coming from its members.

This executive naturally took keen interest in the last amendment of the local government laws, as embodied in the general Act of 1902. Save in the direction of endeavouring to secure some modification to assist the local authorities in the vexed instances of the valuation of Crown lands held under some tenure inferior to fee-simple, the executive urged no departure from the final symmetrical proposal as to unimproved land valuation, which is embodied in the statute.

In proof of the attention given to this business, quotation is made from the presidential report of 1902:—

> In the expectation that the Government would introduce the Local Authorities Bill in 1901 for the codification and amendment of the existing local government statutes, the executive gave its provisions earnest consideration, and invited suggestions from every member of the association. This invitation met with ready response from a considerable number of authorities, and many very useful improvements in the Bill were the result.

Again, in a similar report in 1903, written after the statute of 1902 was enacted, attention of the local authorities was drawn to the fact that the past year had been full of work—

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* John McMaster, M.L.A. † Wm. Stephens, M.L.A.

‡ Last year 191 delegates, representing 106 local authorities, were present.

> Especially while the Local Authorities Bill was under consideration by the Legislature; exhaustive meetings were held by the executive for the consideration of this measure in its various stages, and although the whole of the amendments known to be desirable were not secured, many alterations and improvements, all in the general interest of local government, were obtained through the efforts of your executive.

As the author of the foregoing, the writer can testify that amongst all the numerous suggestions received at this time by the executive from the association's members and others, none raised any dissatisfaction with the proposed system of valuation.

In the year 1898, the Premier of Victoria requested, through the Home Secretary, information as to Queensland's experience with unimproved land valuation. This being forwarded to the association as the body best qualified to answer, the executive approved its secretary writing, on behalf of local government, altogether favourably concerning the system.

The British Government seeking similar information last year, the request was referred by the Premier (Hon. Wm. Kidston) to the association. Being then treasurer of the association, the writer suggested the matter should be discussed at the coming annual conference, and offered to open a debate upon the incidence of unimproved land valuation. The executive, however, considered the question to be so "non-contentious," the local governing bodies resting "so satisfied with the principle," it was undesirable to occupy the time of the conference in this connection.

It having fallen to the writer to be intimately connected with the management of the association, including the preparation of three annual presidential reports, and, in addition, having recently searched the whole of the association's transactions and correspondence from its inception to date, the statement can be made that no evidence is to be found to substantiate dissatisfaction being felt with the principle of valuation now in force, save in the isolated instance of the peculiarly circumstanced Crown lands on mineral fields, and the desire of some authorities to have the present minimum* of valuation raised, which exceptions can hardly be accepted as directed against the principle at large.

OTHER POWERS OF RATING.

The Queensland law allows considerable latitude to local government in the instance of various works of the nature of "services rendered," and imposes certain limitations.

With water supply, only land within 300 feet of a main is rateable; but the rate can be, at the local authority's option, either upon a land valuation or upon any other principle of calculation.

In the performance of sanitary services—removal of rubbish, &c.—a sanitary rate can be struck, always limited to land in occupation; but, if so desired, this can be upon any basis the local authority thinks fit; or, in place of any rate, an order can be substituted, under which occupiers become liable to pay such sums and in such manner as the local authority may prescribe.

The local authorities further have power to levy certain special rates applicable to the whole or part of any area for health purposes, and for the construction and maintenance of a variety of works.

In the case of a portion of an area only being taxed, the rate is termed a separate rate.

Such a rate must be grounded upon the fact of a particular benefit to a particular district, called the benefited area, to be defined and declared by the Minister.†

SOME LIMITATIONS.

A study of local taxation in Queensland necessitates some recognition of the scope of the governing bodies.

Though the many public duties performed need not be quoted, reference is desirable to various services—often undertaken by the local bodies in other countries—from which they are exempted in Queensland.

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* In towns £30, in shires £20.

† Home Secretary.

These exceptions can be broadly stated as more or less onerous duties of a national benefit, such as are generally admitted, when administered by local government, to be entitled to substantial subvention out of the national exchequer.

These include—

Poor Relief, Orphanages, &c.
Education, including Free Libraries.*
†Police, Criminal Prosecutions and Prisons, Hospitals,‡ and Asylums.
Registration of Deaths, &c.

Other duties conferring national benefit *are* undertaken by the local authorities, such as—

Main roads,
Bridges,
Sanitary inspection,
Noxious weeds.

In the foregoing connection, it must be remembered that local government in Queensland no longer receives any endowment assistance from the State, and in effect is only permitted the one mode—an unimproved land value tax—of raising revenues for general purposes.

Nothing is received from occupiers as such; nothing from property other than land; nothing on account of personalty or estate duties.

All Crown properties, Federal as well as State, are exempted from taxation, save as by way of refund for a specific service rendered, such as water supply, sanitary services, rubbish removal, &c.

Roads, streets, and footpaths, their formation, maintenance, watering, and lighting; the provision of sewers and drainage, sanitary inspection, &c., are all a charge upon local government, albeit for the direct benefit of much valuable property, which, under the shield of the Crown, is absolutely exempt from any contribution.

In addition to the Crown properties, the following are also exempt from any local government tax:—

Commons.
Land in occupation of any person or corporation used for public purposes.
Land used for showgrounds or for public recreation or athletic sports or games.
Land vested in or in occupation of any local authority.
Land used for purposes of public charity.
Land used for public worship.
Land used for public worship and educational purposes.
Land used for orphanages.
Land used for mechanics' institutes.
Land used for schools of arts.
Land used for technical schools or colleges.
Land used for schools of mines.
Land used for public schools.
Land used for public libraries.
Land used for cemeteries.

Further, local government receives nothing on account of hotel or club licenses or the liquor traffic

SOME DISABILITIES.

The imposition of local taxation solely upon land values has not worked satisfactorily in all intances.

1. *Lands on Mineral Fields.*

With occupied Crown lands on mineral fields difficulty is experienced in valuing these comparably with other lands in the same neighbourhood, owing to the inferior non-negotiable title appertaining to the former.

Under a miner's right, for instance, costing but 5s. per annum, land can be held and used as fully for the erection of buildings as can other lands for which, if in private ownership, a high purchase price or rental would have to be paid.

---

* It is permissive to contribute towards libraries, and some local authorities do so.

† Including in Brisbane, control of traffic, the Government taking all fees and fines.

‡ Under the Health Act certain obligation as to hospital maintenance in infectious diseases is implied, which, to a great extent, has been a dead letter.

For a time the inclusion of buildings in the valuation of these Crown lands was continued, in order, in a rough way, to make up for the lack of marketable capital value in the land, but this was resented upon the score of the differential treatment.

The final exclusion of improvements in favour of the 1902 compromise provisions for arriving at the value of these lands has not entirely solved the problem.

Considering that the Crown excludes all mineral values from local taxation, and itself receives all fees and licences as well as heavy rentals from certain classes of these lands, and also levies a tax upon dividends declared by mining companies, a remedy should not be far to seek in order to place the local authorities in the position of obtaining an equivalent contribution from these mineral lands to that which land held in fee-simple has to pay.

2. *Services Rendered.*

For such services, for instance, as the removal of garbage, the attempt to levy upon the intrinsic value of the land was rating run mad. Yet for many years this was attempted to be carried out in Brisbane.

As was inevitable, even under the most carefully thought out apportionment, the most grotesque inequalities resulted. The incidence of this mode of rating for such a purpose was unfairly against highly-priced land.

It is a notably unsatisfactory commentary as to the apathy of those who should be interested in local government management to record how difficult it was to get this unjust sanitary rate altered to the more equitable arrangement now obtaining in Brisbane.*

Owing to the bubonic plague scare in 1900, the Government created a joint board to take over the individual responsibilities of the metropolitan local authorities in connection with epidemic diseases. Without due consideration, the basis for the necessary revenue was arbitrarily fixed upon an unimproved land value basis, and resulted in the most unjust incidence against Brisbane city lands.

More recently, persistent endeavours have been made to secure the treatment of infectious diseases by the Brisbane General Hospital on account of the metropolitan areas generally. By those likely to be unfairly benefited thereby the land-value basis for payment has been strongly advocated.

Brisbane has so far stood out for a fair basis of payment by each area, to be estimated upon the number of days of hospital treatment accorded to cases arising in each area, or upon some reasonable compromise based upon a mean taken as upon—

†(1.) Rateable property (supposed ability to pay).
†(2.) Population (supposed necessity for expenditure).
†(3.) Cases treated (actual expenditure).

3. *Undertakings.*

Difficulty in dealing with the valuation of lands—such as the streets of the local authority—used by electric power transit and light, gas, and hydraulic undertakings, was anticipated in the 1902 statute, so that special clauses were inserted under which tramways are rateable on the gross earnings proportionate on the mileage of route, and the other undertakings upon the mileage of pipes or lines installed, proportionate upon the dimensions of the services.

In addition, it was left optionally open for the local authority, with the consent of the Governor in Council, to enter into any special mutually satisfactory agreement with the owners of such undertakings as to their taxation.

4. *Mixed Values.*

When uniform rating is obligatory or desirable in any area, should the lands therein be of widely divergent value, difficulties arise; these were touched upon by the writer in a mayoral minute to the Brisbane City Council in 1904:—

> So far as the capital of the State is concerned, owing to the enlargement of the city, the Queensland principle of rating upon unimproved land

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* Payment for services rendered.

† Such a basis would be much upon the lines suggested by Sir T. Dyke-Acland and Lord Balfour, of Burleigh, in connection with rating in England.

> values is receiving a severer test than has been hitherto applied to this unique system. In last year's report I wrote:—
>
> > "While the system of rating upon unimproved land value has worked satisfactorily in Queensland, whether in application to city, suburban, or country areas, it is by no means certain, except, perhaps, under some arrangement of differential rating, that the system will be found to give equal satisfaction when it may be necessary to apply it to mixed sorts of lands, such, for instance, as city and suburban land taken together. Because of this, and in view of future enlargements of our city, I recently tabled a motion to ensure this important question receiving consideration."
>
> Through the amalgamation with Booroodabin, something approaching the "mixing" of suburban with city lands has been brought about. The result of this is not yet clearly apparent, owing to the differential rate struck last year.* One significant fact, however, is recorded, inasmuch as the total amount of rates upon the higher scale received from the two new wards had to be considerably over-spent to provide for the demands viewed from a city standpoint.
>
> By area we know that the two new wards are practically equal to the rest of the city, while upon a basis of even rating they will only yield about a ninth of what the remaining wards or the other half (by area) of the city will yield.
>
> Now that we are getting experience of the mixing of the various classes of land, an interesting and important new aspect is being forced under review.
>
> It is quite clear that the proportionate value of improvements by comparison with the land value varies greatly as between city and suburban properties. If city and rural properties were taken together the contrast would be greater still.
>
> If the expenditure, based upon a city standard, is to be applied equally to low-priced as to higher-priced land, an inequality of benefits given as against rates received is inevitable.
>
> This would, of course, be particularly noticeable until such time as the general expenditure brought up the values of the less valuable land.
>
> The disparity referred to would not be so great under the almost universal improved property system of rating. With, say, suburban town lands, the improvements average more in value than the land itself while in the case of city property the reverse is true.
>
> The question arises whether, to secure fairness, some system of zonal differential rating or some other expedient will not have to be adopted to bring satisfactory results.

The foregoing cover the leading difficulties so far met with under the application of the unimproved land value mode of rating. As indicated, each can, by some special procedure, be surmounted without interference with the general application of the principle of the system.

Some Effects of the Unimproved Land Tax in the Towns.

The exclusion of taxation upon property other than land was apparently expected to lead to the promotion of improvements, while the application of the tax upon land only might reasonably have been expected to discourage land speculation.

From the standpoint of Queensland city holdings it is believed that such expectations have been borne out.

With urban and suburban property, up to 1890, local taxation was upon the annual improved rental value, and was of a somewhat negligible quantity, owing to the considerable amount of endowment received from the Government.

In 1891 came the change to the rating upon the unimproved land value system, the effects of which became more apparent as the Government endowment diminished, which it rapidly did.

The case for comparison under the two systems would have been simpler had the colony continued to prosper and advance in something like the same ratio as during the eighties, or even had anything like normal times been maintained.

---

* 1¾*d.* in five old wards ; 2½*d.* in two new wards.

As it happened, coincident with the application of the new system of taxation, property values of every kind went to pieces, and there has been no substantial rally since.

The new system, although introduced in 1891, cannot be estimated as in full operation until 1894-5, by which time the Government endowment to local authorities, which, under the old system had reached an annual payment of £276,000, was reduced to £63,000;* and, in addition to this, by the same year considerable sums of money, previously annually expended by the Government upon main roads and bridges, finally ceased.

At this period (1894-5) the colony was in the midst of the depression consequent upon the Australian financial crisis of the previous year, with the result that, except in the instance of certain busy mining and other smaller centres, building was brought practically to a standstill, and there has not been—with some individual exceptions—anything like a return to prosperity in the building trade since.

The financial collapse in 1893 wiped various land banks and building societies out of existence, and it is only within the last year or two that the majority of the surviving institutions of this class have commenced to be busy once more.

These facts indicate how the special conditions of the times have complicated any comparison as between the new and the old order of things.

Personal acquaintance with the operations of leading financial and building institutions, and with private firms and individuals dealing largely in real estate, both improved and unimproved, enables the opinion to be expressed that the absence of any tax upon improvements considerably relieved the tension imposed upon the holders of improved properties during the depression, and also encouraged building operations being undertaken at an earlier period and to an extent that would not otherwise have happened.

More than once it fell to the writer, in the instance of property owned outside the colony, when the question of some projected buildings was under consideration, to point out the peculiarity of the Queensland system in exempting the improvements from taxation, this fact counting as an encouragement to the expenditure of money to render unimproved land revenue producing.

To raise certain revenue in any given area by taxing improvements as well as land, the incidence of the taxation is necessarily lighter on the land than it would be were the tax upon the land value only.

The tendency, therefore, under the new order of things was to depreciate the values of unimproved lands regarded as land only, accentuated in the neighbourhood of towns, on account of the negligible rental value of such land.

The new system of taxation, falling as it has, entirely upon the unimproved value of land, owners have felt the strain severely, especially during the bad times, and this incidence of the new system has tended in the direction of delaying recovery in the values of urban and suburban unimproved lands, and, it is believed, will always have a deterrent effect upon the holding of land for merely speculative purposes.

In the light of Queensland's experience, in the writer's opinion, after making due allowance for the disruption of 1893, and the general depression which has since continued through the prolonged droughts, &c., the new system can be accepted as distinctly against the maintenance of fictitious values in land.

The stimulation to improve land, owing to the appreciable rating of the same, is more clearly established whenever the outgo is very direct and visible, such as in the instance of highly-priced city lands.

When an owner has it brought annually home through his cheque book that he is paying out just as much in rates upon, say, a fifty-feet frontage of vacant land as he has to contribute upon a similarly sized piece, carrying, as it may do, his entire business establishment, or may be improved with buildings giving him fair rentals upon both land and improvements, it becomes a mere question of time until

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NOTE.—As some grounds for the introduction of individual information under this heading, it appears desirable to state that for the past twenty-one years the writer has carried on the practice of his profession as an architect and valuer in the capital of Queensland, the duties appertaining to which have had application in country and suburban as well as in city areas.

* It has since 1903 entirely ceased.

he either takes steps to render the unimproved land also rent-producing or decides to let someone else have the chance to do so.

That previous attention has been directed to this phase, the writer may quote from his mayoral report to the Brisbane City Council in 1902.

Referring to certain corporation* lands occurs the following:—

> No private citizen could afford to hold such properties as belong to the Council, with their valuable business locations and long street frontages, without turning them, as could easily be done, into distinctly revenue-producing assets.
>
> The fact that the Council's city lands have lain during the last dozen years lacking any improvement is a significant example how the absence of taxation on land value prevents that interest being taken in their development which would almost certainly have followed had the lands been a recognisable charge upon the corporation.

To state this case more particularly: These unimproved city lands, having in round figures an aggregate book value of some £160,000, would, if in private ownership be liable for, say, £1,350 a year in rates. Now, were such an annual obligation laid visibly upon the corporation, can it be doubted but that the Council would be stimulated to improve the land?

In the provision of the unimproved-value-of-land basis for taxation, one of the principles involved, viz., the stimulus expected to accrue toward the promotion of improvement, was very early recognised in this State, and encouraged as Queenslanders became better acquainted with the idea.

The discussions† that took place in Parliament upon the various local authority Bills stand in proof of this.

A conspicuous instance of the direct tendency of this legislation is the statute of 1887, which, as finally passed, not only afforded some relief upon improvements generally, but very specifically provided what amounted to a permissive premium in the case of fully improved land, and, going a step further, when fixing the minimum and maximum of rate allowable on unimproved land, imposed what will be noted to be practically a penalty upon land altogether unimproved.

While the law laid down in 1890, and as amended in 1902, gives symmetrical rating, the necessary stimulus has been maintained by the exclusion of *all* improvements from *any* tax.

Coming now to rentals, it would appear obvious that with taxation on the land only, the rentals from improved properties can be lower than they would otherwise require to be were the improvements also taxed, and yet give as good a percentage of profit to the owner on his investment; or, put in another way, that a better building could be provided without the owner having to be penalised for his enterprise. If there is truth in the argument against land taxation on the score that it will lead to the excessive utilisation of the land, then the removal of the tax off the improvements should be some inducement for liberal construction on the part of the building-owner.

The taxation of the unimproved values of land in any area, omitting altogether a tax on improvements, necessarily lightens the burden in the instance of improved properties. This should, and does, enable the rent charge to be lessened.

Reverting again to the instances quoted as to advice tendered land-owners resident outside the State and projecting improvements upon their holdings, it also became necessary in such instances, when explaining the Queensland system of local taxation, to emphasise the fact that it was not requisite to add anything extra to the rent or interest looked for, to provide for fresh taxation, as none would arise through the property becoming more valuable owing to its further improvement.

Logically—other things being equal—money should be more profitably expended upon improvements in Queensland than anywhere else,‡ owing to their exemption from local taxation, and, other things being equal, there is less incentive to expend money in land in Queensland than anywhere else, owing to the unimproved value of land having to bear all the local tax.

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* Reference is made to lands of a business nature only, not to reserves, parks, &c.

† These discussions also exhibit strange inconsistencies on the part of the two Houses. Any advance on the part of one House in the particular direction of the exclusion of improvements from taxation being jealously regarded by the other, so that we find what the Assembly sees fit to advocate stoutly opposed by the Council, and the very same ideas, if promulgated in the Council, strongly condemned by the Assembly.

‡ No attention is paid herein to the isolated instances in which unimproved land value taxation has been applied under the half-hearted permissive legislation in New Zealand, where the question, not being decided by the Government and with every facility provided to allow any area to keep changing its principles of rating, no stability of values can be relied on.

It also follows that one incidence of the unimproved land value system of rating is the imposition of a tax on the unearned increment in respect to land; or, to carry this a step further, it amounts to the shifting of a considerable portion of any increment from the individual land proprietor to the property owner at large.

In considering any beneficial incidence of the system as regards real estate, it must be remembered that, in Brisbane, for instance, the tax on land values is expended in the main upon services that may be regarded as more or less beneficial from a property owner's standpoint; that services of a personal nature, such as sanitary services, are not rated upon the land, and that a variety of services, of an onerous or national character, often undertaken by local government in other countries, are not a burden upon our local authorities.

One argument used against taxation on unimproved land values, viz., that the same must lead to over-utilisation of the land—has not been, so far, tested in this State. This question of overcrowding land must always be to some extent affected in accordance with the liberality or otherwise which controlled the original cutting up. Legislation on the lines of the Queensland Undue Subdivision of Lands Act could always beneficially lessen dangers in this connection.

Except in the instance of individual properties, the question of an excess of value in the improvements compared with the land value, has not been acutely presented to date in Queensland. The condition of things obtaining in large cities wherein improvements largely exceed the land values, would, under an unimproved land value basis for taxation, bring into prominence the disproportion of the value of the property responsible for the rates in comparison with the total value of the property benefiting under the expenditure of the same.

One sharp incidence under any sudden introduction of the Queensland system of unimproved land value rating to highly-improved centres cannot be avoided, however intangible the same may appear—viz., an immediate appreciation of the capital value of existing improvements, owing to the sweeping away of so much of the hereditary burden of taxation from this class of property, while the opposite result must occur with land which has in the past only borne a portion of the tax in common with the improvements—and most markedly will this operate in the places wherein unoccupied land has been held altogether exempt from taxation.

Expressed in its personal application, the introduction of the Queensland system would require some property owners to be taxed more heavily in the future, in order to make good the reductions in the contributions of other property owners.

THE BASIS OF VALUATION.

There appear to be no means of estimating to what extent practical experience, or even solid belief, may have supplemented mere theory when the principle of rating on unimproved land values as the basis for raising local revenues was being evolved in Queensland.

There was certainly no advocacy upon extreme lines such as "that it was suggested to exact payment according to advantages conferred," or that "the benefit received should be a controlling factor of the charge made," though this principle was to some extent recognised and approved.

Very little consideration appears to have been given to the fact that a beneficial incidence to land, arising from the expenditure of revenue raised through a tax on the same land, approximates to an earned increment.

The principle of a distinctly traceable improvement or return for a particular tax is provided for in the statutes, under the head of "Separate Rates."

A separate rate in Queensland is, however, like the general rates, restricted to land only, and does not look for contribution from other forms of property which may also be benefited.

Another name for such a rate would be a "Betterment Tax." In the United States it would be termed a "Special Assessment."

Of a similar class is the "Site-value Tax," so much debated at home.

This principle is as old as local government. A statute, dating back to 1427,* in England empowered the collection of the expenses involved over repairs necessitated by the inundation of the sea, from all whose landed interests received benefit therefrom.

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* 6 Henry VI., chapter V.

Special clauses, embodying the principle, were introduced into an Act in 1667, regulating the rebuilding of London after the great fire.

Such statutes provided the genesis of the principle which has made considerable headway in America.

While the power to levy special assessment has application over most of the United States, it has by no means there, or elsewhere, been applied as any guiding principle in general municipal taxation.

It was left to the youngest of the Australian colonies to evolve, or, at any rate, to practically apply, for general local taxation purposes a system which, however far it may go or fall short, was believed to embody to a considerable extent the promotion-of-improvements principle, a principle which, while it had been theorised upon by many, was never so convincingly stated as to persuade any people to its extensive adoption on any broad lines.

It is a system neither borrowed by their legislators nor accepted by the people of Queensland ready-made from others, but one educed, as the gradual development of legislation proves, more or less subconsciously from the germ of the idea, which in its integrity is an excellent belief—viz., that a premium should be held out, or, at worst, no discouragement offered, to the improvement of the unexploited lands of a new country.

It is a system that in its Queensland application is intended to provide for some reasonable advantage accruing to the land taxed, and which has worked in operation with fewer difficulties than its most sanguine supporters could have anticipated.

Although raising considerable local revenues on unimproved land values has so far met with little objection, it by no means follows that very profound study has been accorded to the subject by those most interested—viz., the ratepayers themselves.

As further duties come under local government jurisdiction the present system cannot escape from very critical examination, for manifestly there is a limit to the burden which will be accepted upon any single class of property.

Should any other land tax come into force, the contributions now more or less cheerfully paid for local government purposes would be very differently regarded. While discontent has to date been so limited, when the Government proposed a couple of years since to make the Brisbane General Hospital a partial charge upon the local authorities in the metropolitan areas, the greatest exception was taken to one form of property—land only—being saddled with such hospital maintenance, and, partly for this reason, in the end the proposal was dropped.

No unreasonable opposition to the extension of the duties and powers of local government bodies is anticipated in Queensland, and in the case of such the sound principle would doubtless be conceded that, to secure economic administration, a portion of the moneys to be expended must be locally raised; yet it may be accepted that ratepayers will stoutly resist the imposition of fresh duties, especially such as are of a national character, unless the State is prepared to make due allowance for this aspect.

So long as the local tax raised from land is not excessive and is expended upon services from which the land rated derives reasonable benefit—and always provided no other land tax is imposed—there does not appear at present much likelihood of discontent in Queensland.

Recognition is assumed of the fact that increment in land value is not solely derivable from municipal out-go nor land always benefited by such expenditure; that if expenditure be excessive, and to provide for the same an excessive tax be requisitioned to the diminishment of the land-owners' net return, this may imply actual depreciation of the capital value of the land.

As taxes increase, however, and especially as fresh duties have to be undertaken, all the issues will be less simple; other forms of property—as was instanced in the fight over the Brisbane hospitals question—will be looked to for contribution as well as land, and the equally valid question of the equity of the State bearing its fair share of all expenditure upon duties partaking of an onerous or national character cannot be ignored.

While it may be inexpedient for local government to trespass into the domain of customs, excise, or income taxes, there is no apparent adequate reason why a portion of the State-raised funds should not be handed over to local government.

Through the State funds the local authority should reasonably look to secure some revenue which would include due recognition of two important factors in municipal finance (not satisfactorily accounted for under a land tax)—viz., " ability to pay "—and the now equally recognised principle that " persons as well as things " should contribute.

SOUTH AFRICA.

CORRESPONDENCE

RELATING TO THE

RECRUITMENT OF LABOUR

IN THE

NYASALAND PROTECTORATE

FOR THE

TRANSVAAL AND SOUTHERN RHODESIA MINES.

Presented to both Houses of Parliament by Command of His Majesty.
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2	To the Commissioner of the British Central Africa Protectorate.	Telegram, 13.	June 25	States that recruiting is not to continue unless mortality returns of British Central Africa natives on the mines for the year ending 30th June show a material decrease, and that no recruiting should take place until returns are ready.	1
3	The Governor of the Transvaal.	Telegram A.	August 6 (Rec. Aug. 7.)	Furnishes mortality returns of British Central Africa natives, and considers that recruiting might be allowed up to 1,000 on the conditions specified.	1
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14	To the Commissioner of the British Central Africa Protectorate.	Telegram, 21.	November 8	Informs him that the recruitment of 1,000 additional natives from the British Central Africa Protectorate and 500 from North-Eastern Rhodesia has been approved as a further experiment on the conditions specified.	16
15	To the Governor of the Transvaal.	Telegram, 5.	November 8	Approves the recruitment of 1,000 British Central Africa and 500 North-Eastern Rhodesia natives for work on the gold mines, on the conditions specified, and states that the Commissioner, British Central Africa, has been so informed.	16
16	The Commissioner of the British Central Africa Protectorate.	Telegram, 40.	November 12 (Rec. Nov. 13.)	Reports that the local representative of the Witwatersrand Native Labour Association has been advised of the contents of No. 14, and that the recruiting season finishes on December 31st.	16
			1907.		
17	The Commissioner of the British Central Africa Protectorate.	Telegram, 5.	February 12 (Rec. Feb. 12.)	Enquires whether the recruitment of British Central Africa natives for the Premier Diamond Mine will be permitted during the season commencing July 1st, 1906.	16
18	To the Governor of the Transvaal.	Telegram, 1.	February 20	Gives purport of No. 17, and asks for figures as to mortality and sickness among British Central Africa natives employed in the Premier and other mines.	17

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Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
19	The Governor of the Transvaal.	Telegram A.	March 4 (Rec. Mar. 4.)	Furnishes particulars of mortality amongst British Central Africa natives on the Premier and other mines in the Transvaal.	17
20	Ditto	—	March 3 (Rec. Mar. 23.)	Forwards copy of a memorandum from the Pass Commissioner on the health of British Central Africa natives on the Premier and other mines, together with returns, and calls attention to the improvement in the rate of mortality.	17
21	The Commissioner of British Central Africa Protectorate.	—	February 4 (Rec. Mar. 25.)	Forwards report from the Superintendent of Native Affairs on a batch of 500 natives recruited for the Premier Diamond Mine and enquires whether further recruiting of British Central Africa natives is to be permitted between July and December, 1907.	25
22	To the Governor of the Transvaal.	—	March 28	Acknowledges receipt of No. 20, and proposes to await returns of mortality among British Central Africa natives for the first three months of the current year before deciding whether further recruitment should be permitted.	26
23	Ditto	—	April 5	Transmits copy of No. 21 and enquires, with reference to the enclosure in No. 20, whether anything is known of the apparent failure of fifteen of the natives to reach the Transvaal.	26
23A	The High Commissioner for South Africa.	—	March 30 (Rec. Apr. 20.)	Forwards copy of correspondence with the Resident Commissioner and Administrator on the subject of native mortality in Southern Rhodesia mines for the quarter ended September 30, 1906.	27
24	The Governor of the Transvaal.	—	June 3 (Rec. June 22.)	Forwards, in reply to No. 23, Minute from Ministers enclosing a statement showing the number of British Central Africa natives recruited for the Premier Diamond Mine for the season 1906–7, and pointing out that the wastage *en route* amounted to 27.	39
25	To the Governor of the Transvaal.	—	July 3	Acknowledges receipt of No. 24 and enquires as to the high rate of mortality *en route*, why fourteen were rejected after the journey began, and why two failed to arrive at Johannesburg.	40
26	The Acting Commissioner of the British Central Africa Protectorate.	Telegram, 17.	July 10 (Rec. July 10.)	Enquires whether any decision has been arrived at with regard to recruiting for the Transvaal mines, as 2,000 or 3,000 natives are anxious to be recruited and would probably proceed of their own accord if recruiting is not permitted.	40
27	To the Governor of the Transvaal.	Telegram, 1.	July 12	Requests that the mortality statistics asked for in No. 22 may be telegraphed, and informs him that the Commissioner of the British Central Africa Protectorate wishes to know whether recruiting is desired this year.	40

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
28	The Governor of the Transvaal.	Telegram, A.	July 15 (Rec. July 15.)	Submits request of Ministers that recruiting for the Witwatersrand Gold Mines from all tropical areas may be resumed on the conditions indicated, and furnishes statistics of mortality among tropical natives from July 1st, 1906, to April 30th, 1907.	41
29	To the Acting Commissioner of the British Central Africa Protectorate.	Telegram, 19.	July 24	Intimates willingness to allow the employment of natives of the British Central Africa Protectorate and North-Eastern Rhodesia for surface work only on the gold mines and the Premier Diamond Mine.	41
30	To the Governor of the Transvaal.	Telegram, 1.	July 24	Ditto	41
31	The Governor of the Transvaal.	—	July 15 (Rec. Aug. 3.)	Forwards copy of a Minute from Ministers, enclosing a letter from the Witwatersrand Native Labour Association requesting information as to the future policy of the Government regarding the recruitment of native labour in the tropical regions of South Africa north of latitude 22°, and enquires whether the territories referred to may be opened up under the special conditions recommended.	42
32	The High Commissioner for South Africa.	—	July 15 (Rec. Aug. 3.)	Transmits copies of correspondence with the Resident Commissioner on the subject of mortality amongst native labourers in Southern Rhodesia mines.	47
33	To the Governor of the Transvaal.	—	August 15	Acknowledges No. 31 and refers to No. 30; requests him to inform Ministers why the Secretary of State did not feel justified in permitting the renewal of recruiting of natives from the British Central Africa Protectorate for underground work.	67
34	To the Commissioner of the British Central Africa Protectorate.	—	August 16	Encloses correspondence received from the High Commissioner; states that the condition of affairs is viewed with grave concern and requests full report from the Acting Commissioner of North - Eastern Rhodesia, on the questions of recruiting through the recognised agency and the emigration of independent labourers.	67
35	To the High Commissioner for South Africa.	—	August 16	Comments on the high rate of mortality among native labourers on the Southern Rhodesia Mines, and trusts that the efforts now being made will result in such improvement as will avoid the necessity of restricting the sources of supply; requests a report from the Administrator, North-Western Rhodesia, on the measures taken to supervise the recruits obtained by the Bureau, and on any suggestions for dealing with the emigration of natives seeking work independently of any organised agency.	68

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
36	The Governor of the Transvaal.	Telegram, A.	August 22 (Rec. Aug. 22.)	Transmits summary of Minute from Ministers regretting decision in No. 30, which does not help matters, as men for surface work are not required; and pointing out that natives from British Central Africa are likely to come down on their own account.	68
37	To the Governor of the Transvaal.	Telegram 1.	August 29	Observes that the Secretary of State feels difficulty in altering his opinion in view of high mortality among natives, and must await the receipt of the Governor's despatch.	69
38	The Governor of the Transvaal.	—	August 26 (Rec. Sept. 14.)	Forwards minute from Ministers urging reconsideration of the prohibition to recruit native labour for underground work on the Witwatersrand gold mines from the British Central Africa Protectorate and North - Eastern Rhodesia.	69
39	The Deputy Governor of the Transvaal.	—	September 9 (Rec. Sept. 28.)	Forwards copy of a minute from Ministers furnishing, in reply to No. 25, information as to the high rate of mortality of certain British Central Africa natives *en route* to the Premier Diamond Mine.	70
40	Ditto	—	September 9 (Rec. Sept. 28.)	Forwards copy of a minute from Ministers enclosing correspondence between the Witwatersrand Native Labour Association and the Premier Diamond Mining Company which Company does not wish to avail itself of the offer of 2,000 men for surface work.	71
41	To the Governor of the Transvaal.	—	September 28	Submits remarks, in reply to No. 38, with respect to the employment of natives from British Central Africa; expresses opinion that mine owners should endeavour to remove the objections to underground labour, and states that if this is done assent to recruiting in British Central Africa and North-Eastern Rhodesia will not be refused, subject to the observance of certain health regulations.	72
42	Ditto	—	October 10	Conveys suggestions of the Director of Native Affairs of the British Central Africa Protectorate that natives from British Central Africa should be restricted to day shifts, and that recruiting should be confined, in the first instance, to those who have already been employed, and requests that Ministers may take the suggestions made into consideration.	74
43	Sir A. Sharpe ...	—	November 3	Submits proposals for the employment in Rhodesia of large numbers of idle natives in the Nyasaland Protectorate.	74

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
44	To Mr. J. C. Casson	—	November 12	Requests to be furnished with a report on his visits to the mines of Southern Rhodesia with respect to the conditions under which the natives of the Nyasaland Protectorate work, and with any suggestions for improving the conditions under which they find their way to Southern Rhodesia.	76
45	The Acting Commissioner of the British Central Africa Protectorate.	—	October 9 (Rec. Nov. 16.)	Submits remarks on the question of finding work for the large number of natives available, and suggests their employment in Southern Rhodesia.	76
46	The Acting Commissioner of the British Central Africa Protectorate.	—	October 16 (Rec. Nov. 25.)	Encloses correspondence received from the Witwatersrand Native Labour Association, showing, *inter alia*, the deaths of British Central Africa natives employed on the Premier Mine during May, June, and July.	77
47	Mr. J. C. Casson ...	—	November 25	Submits report on his recent inquiry into the conditions of labour of natives at Nyasaland in Southern Rhodesia, together with suggestions for their future control and for improving the conditions under which they find their way to Southern Rhodesia.	79
48	To the Acting Governor of the Nyasaland Protectorate.	—	December 3	Refers to No. 45; submits remarks as to the grounds upon which the application of the Rhodesia Native Labour Bureau for permission to recruit in Nyasaland was refused last year.	84
49	To the Governor of the Transvaal.	—	December 6	States that the death-rate among the Nyasaland Protectorate natives employed on the Premier Mine for the six months to August, 1907, was 113 per 1,000 per annum.	85
50	To Sir A. Sharpe ...	—	December 10	Transmits, with remarks, copy of No. 47, and requests views on the points raised and generally on the proposals contained in Mr. Casson's report.	85
51	To Mr. J. C. Casson	—	December 10	Conveys thanks for the Report submitted in No. 47.	86
52	Mr. J. C. Casson ...	—	December 10	Expresses opinion that the death-rate, if taken for a whole year, will work out at a considerably lower figure; points out that his suggestion was confined to natives who had already served a period of one year in the mines.	87
53	Sir A. Sharpe ...	—	December 13	Submits remarks on No. 47	87
54	The Governor of the Transvaal.	—	December 9 (Rec. Dec. 28.)	Transmits copy of a minute from Ministers on the subject of the recruiting of native labour from the Nyasaland Protectorate and North-Eastern Rhodesia, and on the high mortality among natives from tropical areas.	89

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
55	The Acting Governor of the Nyasaland Protectorate.	—	November 15 (Rec. Dec. 30.)	Reports on the extent of emigration during 1906–7, and submits proposals for regulating the exodus to South Africa.	93
			1908.		
56	Ditto	—	November 20 1907 (Rec. Jan. 6, 1908.)	Transmits, with remarks, copy of a Report by the Acting-Administrator, North-Eastern Rhodesia, dealing with the conditions under which natives engage for work in Southern Rhodesia.	95
57	To the Governor of the Transvaal.	—	January 15	Proposes to await reply to No. 49, and promised further communication from Ministers before replying to No. 54, and adds that it will be impossible to authorize resumption of recruiting from the Nyasaland Protectorate and North-Eastern Rhodesia unless there are strong grounds for believing that the death-rate can be substantially and permanently reduced.	101
58	Sir A. Sharpe ...	—	January 16	Reports communication with the British South Africa Company on the subject of Nyasaland labour for Southern Rhodesia; submits remarks on the proposals in No. 56 and urges the placing of all matters concerning "alien" labour in Southern Rhodesia under Government control.	101
59	Sir A. Sharpe ...	—	January 28	Forwards copy of a letter from the British South Africa Company accepting the proposed conditions, and suggests that the experiment should now be carried out on the lines indicated.	102
60	The Governor of the Transvaal.	—	January 20 (Rec. Feb. 8.)	Forwards minute from Ministers enclosing report of the Medical Board of Enquiry into the high mortality amongst native labourers on the Premier Diamond Mine, and stating that steps are being taken to carry out the recommendations made.	104
61	The Acting Governor of the Nyasaland Protectorate.	—	January 17 (Rec. Feb. 22.)	Transmits copy of a letter from the representative of the Witwatersrand Native Labour Association in Central East Africa, and submitting proposals for a *modus operandi* between the Government and the Association, and remarks thereupon.	105
62	The High Commissioner for South Africa.	—	February 10 (Rec. Feb. 29.)	Forwards copy of correspondence with the Administrator, Salisbury, and the Resident Commissioner, relative to the establishment of a Government Labour Bureau to undertake the introduction, distribution, and supervision of labour from Central African territories north of the Zambesi.	113

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1908.		
63	The High Commissioner for South Africa.	—	February 10 (Rec. Feb. 29.)	Reports on the action of the Southern Rhodesia authorities in promulgating regulations governing the movement of natives from the Zambesi Valley through Southern Rhodesia to the Transvaal, and consequent friction with the Witwatersrand Native Labour Association.	115
64	To the Acting Governor of the Nyasaland Protectorate.	Telegram, 5.	March 2	Approves, subject to the concurrence of the High Commissioner, an agreement with Mr. Milton for regulating the existing labour traffic on the lines suggested in No. 56, and the experimental recruiting in the meanwhile of 1,000 men on the conditions indicated.	118
65	To the Governor of the Transvaal.	Telegram, 1.	March 7	Regrets, in reply to No. 60, that resumption of recruiting from Nyasaland cannot be authorised in existing circumstances: observes that the argument that natives will find their way to the Rand of their own accord appears, from No. 63, to have lost much of its force.	118
66	The Governor of the Transvaal.	Telegram, 1.	March 10 (Rec. Mar. 10.)	Points out that the argument as to natives finding their own way to the Rand is not affected by No. 63, and enquires whether, before communicating No. 65 to Ministers or to the Governor of Nyasaland, it is desired to make any change in it in the light of these observations.	119
67	To the Governor of the Transvaal.	Telegram, 1.	March 12	Regrets that the last sentence of No. 65 did not convey its meaning more clearly; and makes further observations.	119
68	Ditto	Telegram, 2.	March 26	States the considerations which were present to the mind of the Secretary of State when he conveyed the decision (in No. 65) not to allow resumption of recruiting in Nyasaland under present conditions.	119

SOUTH AFRICA.

CORRESPONDENCE

RELATING TO THE

RECRUITMENT OF LABOUR IN THE NYASALAND PROTECTORATE

FOR THE

TRANSVAAL AND SOUTHERN RHODESIA MINES.

No. 1.

THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to THE SECRETARY OF STATE.

(Received 8.40 p.m., 20th June, 1906.)

TELEGRAM.

[*Answered by No.* 2.]

19th June. No. 24. Please telegraph whether recruiting for Transvaal is to continue or not. It is due to recommence 1st July, and recruiters are now making necessary preparations. Death-rate, which is undoubtedly high, is only objection I know of, but if supervised emigration is stopped natives will without doubt continue to go by land on their own account to districts to the south of Zambesi.—SHARPE.

No. 2.

THE SECRETARY OF STATE to THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE.

(Sent 6.10 p.m., 25th June, 1906.)

TELEGRAM.

25th June. No. 13. Your telegram, No. 24, 19th June.* Recruiting is not to be continued unless mortality returns of British Central Africa natives on the mines for the year ending 30th June show a material decrease. I am asking Governor, Transvaal, to telegraph these returns as soon as they are ready, and recruiters should not be allowed to recommence operations pending my decision.—ELGIN.

No. 3.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 12.25 p.m., 7th August, 1906.)

TELEGRAM.

[*Answered by No.* 5.]

6th August, A. Mortality returns per thousand per annum of British Central

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* No. 1.

Africa natives are as follows: July, 1904, to June, 1905, 118; July, 1905, to June, 1906, 166; January, 1906, to June, 1906, 135. Total death-rate for year ended 30th June amongst native labourers from all tropical areas was 99; from other than tropical areas, 33; and total death-rate from every source, 40. Returns only just received which permit review of the whole question, which is being dealt with by despatch.

For reasons given in despatch,* I think recruiting might be allowed in British Central Africa up to 1,000 labourers, on condition that they arrive at mines not earlier than October, and are employed for a term of probation whilst acclimatising on other than underground work. This recommendation is based on satisfactory results of experiment of employing British Central African natives on Premier Diamond Mine. If you agree I recommend that in addition to the 1,000 above mentioned a further 1,000 should be allowed to be recruited for the Premier Diamond Mine only. Please do not come to an adverse decision until you have received my despatch.—SELBORNE.

No. 4.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 12.44 p.m., 7th August, 1906.)

TELEGRAM.

[*Answered by No.* 5.]

6th August. B. Referring to my telegram 6th August, A.† Early decision is also urgently required as to whether His Majesty's Government desire to prevent further recruiting of native labourers from Portuguese territory and Southern Rhodesia north of latitude 22.

Mortality rates are as follows:—

> Mozambique natives July, 1904, to June, 1905, 128 per 1,000 per annum; July, 1905, to June, 1906, 65; January, 1906, to June, 1906, 59.
>
> Quilimane natives July, 1904, to June, 1905, 163; July, 1905, to June, 1906, 71; January, 1906, to June, 1906, 34.
>
> Southern Rhodesia, *i.e.*, Matabele and Mashona natives only, July, 1904, to June, 1905, 118; July, 1905, to June, 1906, 79; January, 1906, to June, 1906, 39.

In view of satisfactory decrease of mortality among natives from these territories, I recommend that recruiting from them be not interfered with, subject, of course, to understanding that natives recruited arrive in early summer and that all precautions continue to be taken to safeguard their health.

I should be glad of early reply by telegram as Witwatersrand Native Labour Association inform me that they wish to recommence recruiting operations in territories named in this telegram, with a view to natives arriving towards end of September unless Government gives notice of intention of prohibiting them from entering Transvaal.—SELBORNE.

No. 5.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 5.57 p.m., 10th August, 1906.)

TELEGRAM.

10th August. No. 3. Referring to your telegrams, 6th August, A and B,‡ in view of decrease of mortality amongst natives from Portuguese territory and Southern Rhodesia north of latitude 22, will not object to continuance of recruiting in these areas provided that all precautions are taken to safeguard health of those recruited. I await your despatch before deciding on question of recruiting from British Central Africa, but I should be glad to receive explanation by mail, if it has not been sent already, showing reasons for continued exceptional mortality amongst natives from latter territory.—ELGIN.

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* No. 6.

† No. 3.

‡ Nos. 3 and 4.

No. 6.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received August 25, 1906.)

[*See No.* 8.]

MY LORD, Governor's Office, Johannesburg, August 6, 1906.

WITH reference to previous correspondence on the subject of the recruiting of native labourers from districts north of latitude 22 for work on the Witwatersrand mines, I have the honour to transmit to you the accompanying copy of a despatch from the Acting Lieutenant-Governor of the Transvaal, covering a memorandum from the Commissioner for Native Affairs which shows the rate of mortality among the native labourers from tropical areas for the year ending the 30th June, 1906.

2. The memorandum speaks for itself, but you will observe that the rate of mortality among the labourers from British Central Africa shows a serious increase over the rate which prevailed during the year July, 1904, to June, 1905, and, indeed, reached, during the year ended the 30th June, 1906, the high figure of 166.3 per thousand per annum.

3. In ordinary circumstances, and if there were no special considerations arising in connection with this matter, I should have no hesitation in recommending that recruiting from British Central Africa should be discontinued, but I would invite your special attention to what is said in Sir Godfrey Lagden's memorandum and in that of the Pass Commissioner at Johannesburg appended to it, about the experiment of employing British Central African natives on the Premier Diamond mine. The results of this experiment have, as Sir Godfrey Lagden says, been encouraging, and I would therefore recommend, as he suggests, that if the health of the British Central African natives now employed on the Premier mine remains at the end of September next as good as it is to-day, the Witwatersrand Native Labour Association should be authorised to import a further experimental gang of one thousand natives from British Central Africa, on the understanding that all the precautions which have hitherto been taken to safeguard their health should continue to be employed; that they should arrive only in the early summer, and that for the first three months of their employment, while they are becoming accustomed to the climate of the Witwatersrand, they should be employed only on surface work.

4. I would also recommend that if the Witwatersrand Native Labour Association and the management of the Premier mine desire to enter into a mutual arrangement for the purpose, the Witwatersrand Native Labour Association should be authorised to recruit a further body of one thousand natives, in addition to those above alluded to, for employment on the Premier mine only.

5. In this connection I would remind you that while I am awaiting a reply from the Commissioner of the British Central Africa Protectorate to my communication to him, alluded to in the second paragraph of my despatch of the 18th June,* I have as yet seen no reply to Mr. Knipe's contention, referred to in that despatch and connected correspondence, that the effect of prohibiting further recruiting of labour from the British Central Africa Protectorate would be not to diminish but to increase the mortality which prevails among the natives of that territory by increasing the amount of unsupervised emigration which already takes place.

6. It is necessary that a decision should now be arrived at on this matter, as, if the Witwatersrand Native Labour Association are to be in a position to import any natives from the British Central Africa Protectorate into the Transvaal by the early summer, they must commence recruiting operations at once.

7. If you agree to my recommendations it will be for the Witwatersrand Native Labour Association to consider whether they should conduct their preliminary recruiting operations in anticipation of the health of the British Central African natives now being employed on the Premier mine being good enough at the end

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* Not printed.

of September to warrant the importation of the further experimental gangs to which I have referred.

8. I recommend that for this purpose North-Eastern Rhodesia should be regarded as part of the British Central Africa Protectorate, and that the total number of natives to be recruited by the Witwatersrand Native Labour Association from the Protectorate and from North-Eastern Rhodesia combined should not exceed two thousand.

9. To turn to the other tropical areas referred to in Sir Godfrey Lagden's memorandum, I understand that the authorities of German South-West Africa do not now permit the Witwatersrand Native Labour Association to recruit labour in Damaraland. The question of further importation of labour from that territory does not, therefore, arise.

10. With regard to Mozambique, Quilimane, and Southern Rhodesia (*i.e.*, Matabelelend and Mashonaland only) the mortality rates show, as you will see, a highly satisfactory decrease, which decrease is being maintained.

11. I therefore adhere to the recommendation made in my telegram of the 6th August, "B,"* that no impediment should be placed in the way of further importation of labour from these territories by the Witwatersrand Native Labour Association.

12. In the case of Southern Rhodesia, recruiting can, of course, only take place if the Administration of that territory authorises it.

13. In all cases I would insist on the continued observance of all the precautions which have hitherto been adopted for safeguarding the health of native labourers introduced from tropical areas, and the powers given to the Transvaal Government by the Coloured Labourers Health Regulations Ordinance, 1905, will be of great assistance to me in this matter.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 6.

ACTING LIEUTENANT-GOVERNOR, ORANGE RIVER COLONY, to HIGH COMMISSIONER.

MY LORD, Lieutenant-Governor's Office, Pretoria, August 1, 1906.

I HAVE the honour, with reference to my letter of the 24th May last, to forward to you a further memorandum by the Commissioner for Native Affairs with statistics showing the rate of mortality of native labourers recruited from tropical areas and working on the Witwatersrand mines up to the 30th June, 1906.

I have, &c.,
RICHARD SOLOMON,
Acting Lieutenant-Governor.

The Right Honourable
The Earl of Selborne, G.C.M.G.,
High Commissioner for South Africa,
Johannesburg.

His Excellency
the LIEUTENANT-GOVERNOR, Pretoria, July 30, 1906.

IN my memorandum to His Excellency the High Commissioner of the 24th February last, I submitted a brief review of all the circumstances connected with the recruitment of native labourers in tropical regions for employment on the Witwatersrand mines from the declaration of peace to the 31st December last year.

Having traversed the question in its most important bearings, I made the following recommendations :—

(*a*) That if the high rate of mortality, which exceeded 100 per 1,000 per annum, was maintained it would be humanly indefensible to countenance further recruiting from tropical areas;

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* No. 4.

(*b*) That if, therefore, the departmental returns up to the 30th June this year showed no reduction in that rate, it should be definitely decided whether, and, if so, to what extent the recruitment of labourers from tropical areas in British territory ought to be suspended;

(*c*) That in the event of such suspension it should also be considered whether recruiting operations in tropical areas outside British territory should not be discountenanced;

(*d*) That if recruiting be suspended in tropical areas Southern Rhodesia should be included.

In accordance with the Secretary of State's telegram to Lord Selborne of the 4th December, 1905, it had previously been arranged between the Government and the Witwatersrand Native Labour Association that the recruitment of labour from all tropical regions, that is to say, north of latitude 22 degrees, should cease on the 31st January last, and should not be resumed unless the mortality returns for the year ending 30th June, 1906, showed a decided improvement on those of the previous year.

I now submit a copy of the returns* and chart* compiled from the records of this Department for that period, together with an instructive report thereon by the Pass Commissioner, which conveys an analysis of the mortality statistics.

The facts brought to light by the returns " A " and " B " are :—

(1) That the death-rate amongst labourers from British Central Africa and Damaraland continued to be alarmingly high during the year;

(2) That there has been a very satisfactory diminution in the mortality rate amongst those from other tropical areas, the actual figures being as follows :—

Territory.	July, 1904, to June, 1905.	July, 1905, to June, 1906.
British Central Africa	118·3 per 1,000 per annum.	166·3 per 1,000 per annum.
Damaraland	128·2 per 1,000 per annum.	113·8 per 1,000 per annum.
Mozambique	128·2 per 1,000 per annum.	65·8 per 1,000 per annum.
Quilimane	163·9 per 1,000 per annum.	71·6 per 1,000 per annum.
Rhodesia	118·6 per 1,000 per annum.	79·8 per 1,000 per annum.

(3) That the total death-rate from all tropical areas fell from 130.1 per 1,000 in 1904-5 to 99.5 per 1,000 in 1905-6.

The returns " D " and " E " show what an undue proportion the deaths amongst British Central Africans bear in the general mortality percentage in relation to the employment percentage. But it should be noted that a large number of them were introduced just before the trying winter months in 1905, and that a rapid and serious rise in the death-rate immediately followed.

The chart " C " illustrates the general mortality rate per 10,000 per annum amongst natives from all sources of the labour supply during the years 1904, 1905, and 1906.

Under the circumstances, I consider that the resumption of recruiting operations in Rhodesia and the provinces of Mozambique and Quilimane might be sanctioned, although the death-rate of natives from those areas is still disproportionately high; but it is more difficult to justify the recruitment of further natives from British Central Africa.

In this connection it may be observed that the results of an experiment of employing natives from British Central Africa on the Premier mine are so far encouraging as to warrant the hope that it may be possible to sanction a renewal of recruiting operations in that territory towards the end of the year. In that event every advantage could be taken of the experience gained as to the conditions and precautions to be adopted in respect of their selection, allocation, treatment and the season for enlistment.

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* Not printed.

Having regard to the views recently expressed by His Majesty's Commissioner at Zomba upon this subject, I am inclined to think that if at the end of September next the health of the British Central African natives now employed on the Premier mine remains as good as it is to-day, the Witwatersrand Native Labour Association might be authorised to engage about 1,000 natives in the Protectorate as a further experiment for employment on surface work for at least three months during the process of acclimatization.

It has been demonstrated by statistics in the past that labourers from the tropics require about two or three months to become acclimatised, and that the most fatal period of disease is within the first six weeks of their arrival. Moreover, their introduction during the severe season is a potent factor. The mortality risk would, therefore, be minimised if the labourers were to reach the mines not before the 1st of October.

Upon the results of such experiment the Government would be in a better position to determine with some finality whether, and under what, conditions British Central Africa might be opened generally to recruiting for the mines.

The whole labour question is of such economic importance to South Africa that any restrictions upon the natural development of its local sources of supply can only be justified upon the very strongest grounds, and every effort should therefore be exhausted before any area is actually closed against the recruitment of labour.

The Coloured Labourers Health Regulations which were brought into operation in June last will enable the officials of this Department to exercise a more minute supervision than they were formerly empowered to exercise over the native compounds and hospitals on the mines, and I think that, under such extra supervision and with the additional precautions already alluded to, the mortality rate amongst any further natives introduced from British Central Africa may reasonably be expected to be reduced and maintained at an admissible standard.

G. Y. LAGDEN,
Commissioner for Native Affairs.

MEMORANDUM ON MORTALITY AMONG TROPICAL NATIVES.

	The mortality from disease during the year 1904-5 was at the rate of	44.5 per thousand.
Annexure A.	The death-rate amongst natives recruited from tropical areas was	130.1 ,, ,,
	The death-rate, exclusive of natives recruited from tropical areas was	35.7 ,, ,,
	During the year 1905-6 the death-rate was	40.3 ,, ,,
Annexure B.	The death-rate amongst natives recruited from tropical areas was	99.5 ,, ,,
	The death-rate, exclusive of natives recruited from tropical areas was	33.3 ,, ,,

As recruiting operations in areas north of latitude 22 degrees were suspended at the instance of the Transvaal Government between January 31st and February 15th, 1906, the following statement of the mortality during the first and last six months of the year 1905-6 is worthy of examination :—

——	July–December, 1905.	January–June, 1906.
Total death rate	47·2	33·1 per 1,00
Death rate amongst natives recruited from tropical areas.	123·3	70·6 ,,
Death rate exclusive of natives recruited from tropical areas.	37·5	29·1 ,,

The marked fall in the rate of mortality is striking, but it would be unwise and probably incorrect to attribute it in too great a degree to the suspension of recruiting in areas north of latitude 22 degrees during the winter months, and the consequent cessation of the influx of tropical natives since the commencement of the current year. For instance: While the rate of mortality during the last six months of 1903 was as high as 76.6 per thousand, it fell to 36.2 per thousand during the first six months of 1904. Unfortunately it is not possible with the data at the disposal of this Department to offer any substantial explanation of the marked variation during the latter two periods, but it may be accepted as an important contributory cause that the climatic conditions prevailing during the former period were extremely rigorous and, in fact, exceptional.

It has also been pointed out at frequent intervals in previous reports on the subject of the mortality amongst natives employed on mines that, whereas the territorial factor is one of the main determinants, there are other factors, such as those of acclimatisation and occupation, each of which has in turn been shown to exert a powerful influence upon the rate of mortality.

In order to ascertain to what extent the rate of mortality may be expected to be influenced by recruiting in certain areas, a territorial segregation has been made of the natives recruited by the Witwatersrand Native Labour Association during the period July, 1904, to June, 1906. A chart is submitted showing the influx month by month of those from tropical, sub-tropical, and temperate areas, of those engaging locally, and of the mortality from disease during the period. Annexure C.

The average death-rate during the past two years among natives other than those recruited from areas north of latitude 22 degrees was approximately 34.5 per thousand per annum. A study of the chart in this connection is interesting:

In July, 1904, the rate of mortality from disease was 34.04 per thousand per annum. In the two succeeding months 2,496 natives from tropical areas were distributed to mines, the maximum influx during the latter half of the year 1904 being in September of that year. In the following month the curve of mortality shows a marked rise, with little variation during the succeeding three months. Again, in April and May, 1905, there was an influx of 3,374 natives from tropical areas. An immediate rise in the curve of mortality is again apparent, and again with little variation during the months of July and August. In August, 1905, a marked fall in the influx of natives from these areas was followed by a considerable reduction in the rate of mortality, but in September and October a rapid influx was followed by an increase in the death-rate during November and December. During the latter and succeeding months the influx, owing to the suspension of recruiting, fell almost to zero, while the total rate of mortality, for the first time since July, 1904, receded in February, 1906, to its normal proportions, and has since remained at a lower and more constant rate than has been recorded since the introduction of the statistics of mortality.

The remaining curves, showing the influx of natives from other areas, bear so little resemblance to that of mortality that their examination is uninstructive.

While, therefore, it is desirable to give due consideration to each determining factor, and to bear in mind that the recent fall in mortality has been due to a combination of causes each of which has been instrumental to its reduction in a greater or lesser degree, the fact would appear to be established that so long as an average of 10 per cent. of the natives employed on mines are recruited from areas north of latitude 22 degrees, an average increase in the death-rate of approximately 8 per thousand may be anticipated.

It is well, at a time when the question of the re-opening of recruiting in tropical areas is under consideration, to consider what precautionary measures the Witwatersrand Native Labour Association have taken in the matter: The medical examination of recruits in their countries of origin, and also on arrival has been made more stringent, and explicit instructions have been issued to recruiters in areas north of latitude 22 degrees that only natives should be recruited who are of sufficient physique to withstand the arduous journey from their homes to the mines and the rigours of the altered climatic conditions to which they are exposed on arrival here. Again, at the depôt of the Association in Johannesburg, these natives are invariably detained for medical examination and treatment, and any of lesser physique or who appear not to be in robust health are subjected to a further period of detention during which special medical treatment and diet are provided for them. Upon allotment, the medical officer of the Association takes steps to instruct the medical officers of the mines to which they are allotted of the special treatment which, in his opinion, may for a time be necessary to fortify them against disease.

If the question of the nature of occupation be excepted, it is difficult to see what further precautions could be taken by the Witwatersrand Native Labour Association.

Annexures A and B.

The rate of mortality amongst natives from tropical areas has fallen from 130.1 per thousand in 1904-5 to 99.5 per thousand in 1905-6, and 70.6 per thousand during the first six months of this year. The reduction is satisfactory, and it may be assumed with some degree of confidence that a material contributing factor has been the assiduity and perseverance which the Witwatersrand Native Labour Association have brought to bear upon their efforts to deal effectively with the serious problem which has faced them.

It is desired that this Department should submit distinct recommendations in respect of each area as to the expediency of sanctioning further recruiting. To do so, in any detail, would necessitate a reliable explanation of the increase or decrease in the mortality among the natives from each area of supply. The problem, however, is so complex and involves a consideration of so many circumstances and conditions of which this Department can have but little cognisance, that it is quite possible to conceive, in a question of this nature, that such a statement might at a future date be proved to have been totally misleading.

It should also be remembered that the period during which statistics of mortality have been recorded has not been sufficiently long to enable comparisons of periods and conditions to be drawn which might warrant the publication at the present time of a definite statement in respect of each area. For instance: The unvarying high rate of mortality among natives from British Central Africa, especially as compared with that recently recorded among those from Quilimane district of Portuguese East Africa, which in the past has been responsible for the highest territorial mortality, is at present totally unaccountable.

By arrangement with Dr. Turner, Medical Officer to the Witwatersrand Native Labour Association, an opportunity was recently taken by the Pass Commissioner of this Department and Dr. Sansom, District Medical Officer of Health for the Witwatersrand, to inspect a number of British Central African natives who, having been employed for some time at the Durban-Roodepoort mine, were being transferred, as an experiment, to the Premier diamond mine.

The natives, almost without exception, were in robust health; some, in fact, were excellent specimens of muscular humanity.

Annexure F.

At a later date a further gang of natives, also from British Central Africa, were transferred from the Roodeport Central Deep to the Premier mine.

The experiment, as will be remembered, has been made in accordance with the expressed intention of the Witwatersrand Native Labour Association to place a number of natives recruited from British Central Africa at the Premier diamond mine on surface work, and to watch results for a period of four months, to determine whether they are physically more fitted for that class of labour.

Annexure F.

A medical history of both gangs has accordingly been preserved by this Department, and is submitted.

It will be observed that of the 100 natives the majority were admitted to hospital shortly after their arrival from British Central Africa, in some cases on as many as five occasions, and that since their allotment to the Premier mine the health of all, with three exceptions, has been good, and that only eleven have been admitted to hospital, suffering in all cases from comparatively minor diseases.

The following statement shows the monthly record of admissions to hospital since their arrival on the Witwatersrand:—

Durban Roodepoort Gold Mining Company.								Premier Diamond Mine.		Roodepoort Central Deep.					
1905.			1906.					1906.		1906.					
Oct.	Nov.	Dec.	Jan.	Feb.	March.	April.	May.	May.	June.	Jan.	Feb.	March.	April.	May.	June.
28	42	32	13	4	3	4	2	3	6	2	12	11	5	1	2

The high rate of sickness at the commencement of their employment, and the gradual decrease and subsequent low rate of sickness bear testimony to the theory that the factor of acclimatisation is one of the most important with which we have to contend in regard to the question of native mortality.

The potential values of the tropical areas as sources of labour supply are admittedly enormous, and the question at issue is, therefore, one affecting not only the economic prosperity of the Transvaal but of South Africa. One hesitates, therefore, to recommend that further recruiting in these territories be prohibited.

Experience has shown that, generally speaking, the question of mortality amongst natives on the mines resolves itself, in the case of every class of native, into one of "the survival of the fittest," and that the degree of mortality may reasonably be expected to vary in proportion as to how far removed are the climatic conditions at their homes from those in the labour districts of this Colony.

The sole reliable conclusions which may be drawn at present would appear to be:—

(*a*) That whereas in the absence of natives recruited from tropical areas a death-rate of manageable proportions, and varying between 30 and 35 per thousand per annum may, under ordinary conditions, be anticipated, recruiting in tropical areas will always be followed by an increase in the total rate of mortality, and that that increase will be largely dependent upon:

(1) The areas in which recruiting operations are conducted.

(2) The number of natives recruited from such areas.

(3) The precautionary measures adopted for their protection from disease.

(*b*) That any material reduction in the death-rate, were recruiting re-opened in British Central Africa, could not reasonably be anticipated.

In the meantime, the most equitable solution of the problem would appear to be that the policy of the Government should, for the present, be directed by the rates of mortality occurring among each class of natives. The death-rate among them is in all cases still high, and in the case of natives from British Central Africa has consistently been one of indefensible proportions; but, in respect of those from Quilimane, Mozambique, Rhodesia, and Damaraland, it has been much reduced.

As regards natives from North-Eastern Rhodesia it is desirable, for the purposes of territorial classification, that they should be classed as British Central Africans, and that the classification of "Rhodesia" should comprise only natives recruited from Matabeleland and Mashonaland. It is, however, understood that, owing to the difficulty experienced in satisfying local requirements, the Rhodesian Administration do not propose to authorise further recruiting in those areas for the Transvaal mines.

It is unlikely that recruiting in Damaraland will, under any circumstances, be resumed.

It is therefore recommended that sanction be given to the resumption of recruiting in the provinces of Mozambique and Quilimane only, under the conditions already prescribed by His Excellency the High Commissioner, and that the decision be reserved as to whether or not recruiting in British Central African territories should be permanently suspended.

Unfortunately no statistical information is apparently available to enable a comparison to be made of the relative death-rates occurring among natives from British Central Africa employed on the mines, and of those prevailing in their own native villages, or among those employed on construction works in those territories.

It may be possible to make a more definite statement at this time next year. In order to do so a careful record will be preserved of the health of those British Central African Natives who are now employed, with a view to ascertaining to what extent the factor of acclimatisation may influence the rate of mortality among them during the succeeding months, and to determining with some degree of accuracy the rate of mortality which must, under the most favourable conditions, be anticipated.

But, should these recommendations be adopted and it be decided to re-open recruiting in any area north of latitude 22 degrees, one important point should be brought home forcibly to the individual managers of mines to which natives from those areas are allotted, viz.: that such natives require special care and treatment, and that no effort should be spared to carefully watch the health of all, and especially to nurse those who may be sick or who are of weaker constitution. By the term "nursing" it is not intended that only medical care should be afforded them. Every effort should be made to employ them on surface work such as that on the Premier Diamond Mine, and if on gold mines, they should be placed on as light work as possible for the first few months, until they become acclimatised. In no case should they be employed on developing, deep level, or wet mines.

The foregoing suggestions are especially recommended for consideration in view of the fact that the degree of attention which is given to the health of natives on mines varies considerably, and that, while on some mines the responsible officials spare no pains in considering every detail in respect of the welfare of natives, there are mines with the officials of which their welfare is a secondary consideration, and by whom it is sometimes even neglected.

The following statements of mortality from disease amongst natives employed on mines and works in the labour districts of the Transvaal are submitted:—

(*a*) Territorial analysis of mortality from disease amongst natives recruited from areas north of latitude 22 degrees and employed on mines and works affiliated to the Witwatersrand Native Labour Association in proclaimed labour districts (exclusive of natives employed by contractors) for the period July, 1904, to June, 1905.

(*b*) Territorial analysis of mortality from disease amongst natives recruited from areas north of latitude 22 degrees and employed on all mines and works in proclaimed labour districts (exclusive of natives employed by contractors) for the period July, 1905, to June, 1906.

(*c*) Statement showing, territorially, the relation of the mortality percentage to the employment percentage amongst natives employed on mines and works affiliated to the Witwatersrand Native Labour Association in proclaimed labour districts (exclusive of natives employed by contractors) for the period July, 1904, to June, 1905.

(*d*) Statement showing, territorially, the relation of the mortality percentage to the employment percentage amongst natives employed on all mines and works in proclaimed labour districts (exclusive of natives employed by contractors) for the period July, 1905, to June, 1906.

(*e*) Statement showing, territorially, the relation of the mortality percentage to the employment percentage amongst natives employed on all mines and works in proclaimed labour districts (exclusive of natives employed by contractors) for the period January to June, 1906.

(*f*) A medical history of British Central African natives allotted by the Witwatersrand Native Labour Association to mines in Krugersdorp district and subsequently transferred to the Premier Diamond Mine, Pretoria.

(*g*) Chart showing the influx of natives recruited by the Witwatersrand Native Labour Association, Limited, from tropical, sub-tropical, and temperate areas, of natives engaging locally, and of the rate of mortality among such natives during the period July, 1904, to June, 1906.

The statistics relating to the year 1904-5 are confined to mines and works affiliated to the Witwatersrand Native Labour Association, no other figures being available from which the mortality in respect of the natives recruited from the several tropical areas can be accurately estimated.

S. M. PRITCHARD,
Pass Commissioner.

Johannesburg,
July 25, 1906.

No. 7.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 8 September, 1906.)

MY LORD, Governor's Office, Johannesburg, 20 August, 1906.

WITH reference to my despatch of the 6th August,* I have the honour to transmit to you the accompanying copies of two despatches which I have received from His Majesty's Commissioner for the British Central Africa Protectorate.

2. The contents of these despatches confirm, in my opinion, the recommendation, which I made in my despatch above referred to, that the Witwatersrand Native Labour Association should be allowed to recruit a further experimental gang of 1,000 natives from British Central Africa and North-Eastern Rhodesia for work on the Witwatersrand gold mines, subject to the conditions laid down in paragraph 3 of that despatch, and another gang of 1,000 natives for work on the Premier mine only, if they so desire.

3. I venture, therefore, to repeat that recommendation, but in view of the contents of Sir Alfred Sharpe's despatch of the 14th July, I would advise that the further condition should be imposed that no labourers should be recruited from the northern half of Angoniland.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 7.

COMMISSIONER, British Central Africa Protectorate, to HIGH COMMISSIONER.

MY LORD, Government Offices, Zomba, British Central Africa, 12 July, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 20th of June, 1906, on the subject of a Memorandum on a conversation between Mr. Knipe and Mr. Malcolm referring to the question of emigration of native labourers from this Protectorate to the Transvaal.

2. In reply to paragraph 2 of your despatch, I do not know that the ordinary rate of mortality among natives in this Protectorate living in their own districts under normal conditions is higher than in other parts of Africa.

3. The mortality rate, however, among those who work on plantations within the Protectorate is undoubtedly high; it has been difficult up to the present to obtain reliable statistics, except in the case of natives employed in the construction of the Shire Highlands Railway, and in that case the mortality last year was quite as high as among British Central Africa natives employed in the Transvaal. This year, however, the mortality rate among natives working on the railway will undoubtedly be lower than hitherto.

4. If authorised and supervised emigration from this Protectorate to the Transvaal is abolished, it is certain that one result will be that unauthorised emigrations (as described in paragraph 3, page 3 of my previous despatch) will increase. It is true that the mortality and the discomfort during journeys made by natives who travel on their own account to districts south of the Zambesi in search of work is far greater than in the case of natives who are conveyed by the Witwatersrand Native Labour Association under satisfactory conditions from their homes to Johannesburg; though I have no means of ascertaining how the death-rate among such natives during the term of their employment compares with the Johannesburg rate. Most of these independent emigrants go to Southern Rhodesia, only a few of them finding their way south as far as Johannesburg.

5. It is correct, as stated by Mr. Knipe, that considerable numbers of natives who travel from this Protectorate to British territories south of the Zambesi in

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* No. 6.

search of work never return, and that some of them die on the road owing to the absence of suitable arrangements for their long journey.

I have, &c.,
ALFRED SHARPE,
Commissioner.

The Right Honourable
The Earl of Selborne, P.C., G.C.M.G.,
High Commissioner for South Africa,
Pretoria.

Enclosure 2 in No. 7.

COMMISSIONER, British Central Africa Protectorate, to HIGH COMMISSIONER.

MY LORD, Government Offices, Zomba, British Central Africa, 14 July, 1906.

WITH reference to my despatch of the 12th instant, on the subject of the recruitment of British Central Africa natives for the Transvaal, I have the honour to transmit a copy of a letter addressed to me by the Superintendent of Native Affairs for this Protectorate, from which it appears that a very large majority of the deaths which have occurred amongst natives from British Central Africa in the Transvaal are natives living in the district of this Protectorate known as "Dowa," which includes a considerable portion of the northern half of Central Angoniland.

2. I think it quite reasonable to suppose, as Mr. Casson states, that if natives from the northern half of Angoniland were debarred from recruitment, the death-rate might be found to be much lower than it is. These people have not good physique, and although they live in a cold district they do not appear to be able to acclimatise themselves in a new country.

I have, &c.,
ALFRED SHARPE,
Commissioner.

The Right Honourable
The Earl of Selborne, P.C., G.C.M.G.,
Johannesburg.

THE SUPERINTENDENT OF NATIVE AFFAIRS, Zomba, to HIS MAJESTY'S COMMISSIONER, Zomba.

SIR, 12 July, 1906.

I HAVE the honour to call attention to the fact that most of the deaths which have occurred amongst British Central Africa natives in the Transvaal up to 31st March, 1906, belong to the sub-districts of Dowa and Lilongwe. These natives were recruited between July and December, 1905; they were mostly of the Chipeta tribe, and Achewa.

Number of Dowa natives dead	83
Number of Lilongwe natives dead...	18
	101

out of a total number of deaths to 31st March of 114. The remaining 13 deaths were: 1 Dedza native, 5 Karonga natives, and 7 Fort Johnston.

I have just received a list of deaths for April. Seventeen is the number: 14 of these are also from Dowa. The total to end of April, therefore, stands: 115 deaths out of a total of 131, are Dowa natives.

It would appear, therefore, that if recruiting were disallowed in Lilongwe and Dowa sub-districts, the death-rate might in future be very much reduced.

I have, &c.,
J. CHAS. CASSON,
Superintendent of Native Affairs.

His Majesty's Commissioner,
Zomba.

No. 8.

The SECRETARY OF STATE to the GOVERNOR OF THE TRANSVAAL.

(Sent 4.5 p.m., 26th September, 1906.)

TELEGRAM.

[*Answered by No.* 9.]

26th September. No. 1. Your despatch, 6th August,* paragraph 3. Please state what is now condition of health of British Central African natives employed on Premier Mine, giving number of deaths per thousand since they have been so employed.—ELGIN.

No. 9.

The GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received 2.15 p.m., 4th October, 1906.)

TELEGRAM.

[*Answered by No.* 15.]

4th October. No. 1. Your telegram, No. 1, 26th September.† Health of British Central Africa natives on Premier Mine generally good. For months of May to September inclusive average number employed was 83; number of deaths 4.

I should be glad to receive early decision from His Majesty's Government as to whether recruiting from British Central Africa can be allowed to go on on the conditions indicated in my despatch, in order that the season may not be lost.—SELBORNE.

No. 10.

The SECRETARY OF STATE to the COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE.

(Sent 1.55 p.m., 22nd October, 1906.)

TELEGRAM.

[*Answered by No.* 11.]

22nd October. No. 20. Referring to enclosure in your despatch of 14th July‡ to Governor, Transvaal, numbers recruited from different districts are not given. Can you state death-rate amongst Northern Angoni as compared with that of natives recruited from other districts?—ELGIN.

No. 11.

The COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to the SECRETARY OF STATE.

(Received 3.10 p.m., 29th October, 1906.)

TELEGRAM.

[*Answered by No.* 14.]

29th October. No. 37. Your telegram, No. 20, 22nd October,§ During 1905 recruiting season, namely, July to December, inclusive, 1,714 men were recruited in British Central Africa Protectorate, of whom 1,549 arrived at Johannesburg, the remaining 165 having been rejected or fell out or deserted. Of the 1,549 men, 1,191 came from northern portion of the Central Angoniland District, 34 from southern portion of same district, 118 from North Nyasa, and 206 from South Nyasa. The numbers who died at Johannesburg during the period of nine months, October, 1905, to June, 1906, inclusive, was 156, of which details are as follows:—Northern portion, Central Angoniland, 138; southern portion, 1; North Nyasa, 7; and South Nyasa, 10.—Sharpe.

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* No. 6. † No 8. ‡ Enclosure 2 in No. 7. § No. 10.

No. 12.

The GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received 8.27 p.m., 2nd November, 1906.)

Telegram.

[*Answered by No.* 15.]

2nd November. No. 2. Witwatersrand Native Labour Association have arranged with Premier Diamond Company to recruit 500 British Central African natives for them if recruiting is allowed. Have you any objection? Should be glad if you would also telegraph at once final decision as to resumption of recruiting for gold mines from British Central Africa and North-Eastern Rhodesia, as only two months of present recruiting season remain.—Selborne.

No. 13.

The GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received November 3, 1906.)

[*Answered by No.* 15.]

My Lord, Governor's Office, Johannesburg, October 15, 1906.

In connection with the correspondence noted in the margin,* I have now the honour to transmit, for Your Lordship's information, the enclosed copy of a letter from the Secretary for Native Affairs, covering a report by the Pass Commissioner of the Native Affairs Department with a medical history of the British Central African natives employed on the Premier Diamond Mine from the month of May to the end of September this year.

Governor to Secretary of State, Telegrams A and B, 6th August, 1906.
Secretary of State to Governor, Telegram No. 3, 10th August, 1906.
Governor to Secretary of State, Despatch, 6th August, 1906.
Governor to Secretary of State, Despatch, 20th August, 1906.
Secretary of State to Governor, Telegram No. 1, 26th September, 1906.
Governor to Secretary of State, Telegram, No. 1, 4th October, 1906.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 13.

Secretary for Native Affairs to the Acting Lieutenant-Governor.

Pretoria, October 11, 1906.

With reference to your Minutes noted in the margin, I now submit a draft despatch for transmission to the Secretary of State, covering copy of a report by the Pass Commissioner of this Department with a medical history of the British Central African natives employed on the Premier Diamond Mine.

August 13, 1906.
August 15, 1906.
September 26, 1906.
October 6, 1906.

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* Nos. 3, 4, 5, 6, 7, 8, and 9.

It will be observed from particulars of the four deaths that three died of pneumonia, two of which were accompanied by malarial complications, and one of peritonitis.

W. WINDHAM,
Secretary for Native Affairs.

The Private Secretary to
His Excellency the Acting Lieutenant-Governor.

MEMORANDUM on British Central Africa Natives employed on the Premier Mine.

On my return journey from a tour of inspection in the Witbank and Balmoral districts I visited the Premier Diamond Mine on the 2nd instant, and paid particular attention to the general conditions under which the British Central African natives were employed, and to their general health since their allotment to that mine.

I found that on their arrival they were all housed in Number 2 Compound, in order that their general health and capacity for work might be under special observation.

They were first employed on the tailings dam—a form of labour which necessitated their being up to their knees in water during the greater portion of the work. The wages earned at this period averaged between three and four shillings per native per diem, of which an average sum of 1s. 2d. was applied by each to the purchase of his own food, their contracts not including the supply of rations. The principal foodstuffs purchased have been tinned fish, fresh fish, rice, mealie meal, and flour.

In May four were admitted to hospital suffering from minor diseases, but before the end of the month all had been discharged and returned to work during that month. No deaths occurred during this period.

In July the natives were transferred from the tailings dam to the work of removing the overburden of mud lately deposited on the property by the bursting of a dam. Under these conditions of labour their health was not so good, and ten were admitted to hospital, of whom three died within six days after their admission.

At the end of July the general health of the natives showed signs of improvement, and they were distributed to various classes of labour on the mine.

In August eight were admitted to hospital, of whom one died. During September only three were admitted to hospital, and these, together with those previously admitted, were discharged, and returned to work before the end of the month.

I personally inspected the majority of the natives, all of whom were at work on the 2nd instant, and was satisfied that their general physical appearance compared favourably with that of the other tribes employed on the mine. They are reported to be industrious and intelligent, and during the last fortnight have worked an average of 11·4 shifts out of a possible 13. The death-rate among them since their allotment to the Premier Mine to the end of September has been 115·6 per thousand per annum.* Their medical history has been compiled to date, and is submitted together with a statement of the mortality.†

S. M. PRITCHARD,
Pass Commissioner.

Johannesburg,
October 6/9, 1906.

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* COLONIAL OFFICE NOTE.—The facts upon which this rate is based are that the average number employed from 14th May to 30th September, 1906, was 83, among whom there were four deaths from disease.

† Not printed.

No. 14.

THE SECRETARY OF STATE to THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE.

(Sent 9 p.m., 8th November, 1906.)

TELEGRAM.

[*Answered by No.* 16.]

No. 21. Your telegram, No. 37, 29th October.* I have now as a further experiment for this year approved of recruitment of 1,000 additional natives from the British Central Africa Protectorate for the Transvaal mines; 500 for the gold mines, on condition that they are employed on surface work only during the whole period of their engagement, and 500 for the Premier Diamond Mine. No labourers are to be recruited from northern half of Angoniland. I have also approved of recruitment of 500 natives of North-Eastern Rhodesia for the gold mines provided that they are employed on surface work only and that British South Africa Company and Administration of North-Eastern Rhodesia raise no objection.—ELGIN.

No. 15.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 9 p.m., 8th November, 1906.)

TELEGRAM.

8th November. No. 5. Your telegrams, 4th October, No. 1, and 2nd November, No. 2, and your despatch, 15th October.† As a further experiment for this year I agree to the recruitment of 500 natives from the British Central Africa Protectorate for the gold mines, but on condition that they are employed on surface work only during the whole period of their employment and not during the first three months only. Also I approve of the recruitment of the additional 500 for which the Premier Diamond Mine ask.

No labourers however must be recruited from the northern half of Angoniland.

With regard to North-Eastern Rhodesian natives I am willing that 500 should be recruited for surface work on the gold mines during their whole engagement, provided that British South Africa Company and Administration of North-Eastern Rhodesia raise no objection.

I have informed Commissioner, British Central Africa Protectorate, by telegraph accordingly.—ELGIN.

No. 16.

THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to THE SECRETARY OF STATE.

(Received 2.45 p.m., 13th November, 1906.)

TELEGRAM.

12th November. No. 40. Your telegram, No. 21‡. Local representative of Witwatersrand Native Labour Association has been advised by me of contents of your telegram. Recruiting season finishes on 31st December.—SHARPE.

No. 17.

THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to THE SECRETARY OF STATE.

(Received 4.30 p.m., 12th February, 1907.)

TELEGRAM.

No. 5. 12th February. I shall be glad if you will inform me as soon as you can whether recruitment of British Central Africa natives for Premier Diamond

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* No. 11. † Nos. 9, 12, and 13. ‡ No. 14.

Mine is to be permitted during the coming season commencing 1st July. Witwatersrand Native Labour Association agent informs me that Premier Mine will probably desire, if permitted, to recruit 1,000 men. I think the Premier Mine more suitable than Rand gold mines for British Central Africa natives.—SHARPE

No. 18.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 4.15 p.m., February 20, 1907.)

TELEGRAM.

[*Answered by No.* 19.]

20th February. No. 1. Commissioner, British Central Africa Protectorate, enquires whether recruitment of natives for Premier Diamond Mine will be permitted next season, commencing 1st July. He understands that Premier Mine will probably desire to recruit 1,000 if permitted, and says that he thinks Premier Mine more suitable than Rand gold mines.

Please report to me latest figures available as to sickness and mortality amongst British Central Africa natives employed both on Premier Mine and other mines in Transvaal, and particularly figures regarding health of natives recruited for Premier Mine during last season. I understand that no steps have been taken in accordance with permission given in November to recruit natives from British Central Africa Protectorate and North-Eastern Rhodesia for surface work on gold mines.—ELGIN.

No. 19.

THE GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received 2.12 p.m., March 4, 1907.)

TELEGRAM.

4th March. A. Your telegram of 20th February, No. 1.* Mortality amongst British Central Africa natives employed on the Premier and other mines in the Transvaal for period 1st July to 31st December, 1906, was at the rate of 66.5 per 1,000 per annum. 1,016 British Central Africa natives were discharged from the mine towards end of October, consequently no further particulars as to mortality appear to be necessary. No steps have been taken upon permission given in November to recruit in British Central Africa Protectorate and North-Eastern Rhodesia for surface work on gold mines. Despatch follows by mail.—SELBORNE.

No. 20.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received March 23, 1907.)

[*Answered by Nos.* 22 *and* 27.]

MY LORD, Government House, Pretoria, March 3, 1907.

WITH reference to my telegram of the 4th March, A,† I have the honour to enclose a copy of a Memorandum from the Pass Commissioner, together with the returns therein referred to, relating to the health of the British Central Africa natives employed on the Premier and other mines in the Transvaal, for the period 1st July to 31st December, 1906.

2. A revised medical history of the natives employed on the Premier Mine is also forwarded in connection with the reports forwarded to you in my despatch of the 15th October last.‡

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* No. 18. † No. 19. ‡ No. 13

3. It will be observed that the returns show a decided improvement in the rate of mortality amongst this particular class of native as compared with the years 1905-1906.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 20.

MEMORANDUM ON BRITISH CENTRAL AFRICAN NATIVES EMPLOYED ON THE PREMIER MINE.

Since the memorandum of the Pass Commissioner of 6th October last, dealing with the health of British Central African natives on the Premier Mine up to the end of September, no additional British Central African natives were employed. The natives then dealt with were discharged towards the end of October, and, with the exception of 29 who it was found had not completed their contracts, were sent home on the 27th of that month. The 29 natives were sent to the Roodepoort Central Deep to complete the unexpired portion of their contracts and also returned home on the 12th February.

The medical history of this batch which was attached to the memorandum above referred to has been completed to time of discharge from the Premier and is attached, as is also the history of the remaining 29 to date of return home. It will be seen that the health of the natives during the latter portion of their employment was very good.

A territorial analysis of mortality from disease amongst natives recruited from areas north of latitude 22° and employed on all mines and works in proclaimed labour districts (exclusive of natives employed by contractors) for the half-year ended 31st December, 1906, is attached. It will be seen that the mortality among British Central African natives and those from North-Eastern Rhodesia and Fort Jameson is practically identical, being 66.5 and 66.3 per thousand per annum respectively. There is little doubt that the improvement which these figures show when compared with the rates of mortality of British Central African natives for the years ended June, 1905, and June, 1906, of 118.3 and 166.3, respectively, is mainly attributable to the fact that the suspension of recruiting early last year has admitted of the benefit derived from the process of acclimatisation making itself apparent.

A statement is attached showing territorially the relation of the mortality percentage to the employment percentage amongst natives employed on all mines and works in proclaimed labour districts (excluding natives employed by contractors) for the half-year ended 31st December, 1906.

Advantage was not taken of the permission granted last season to recruit natives for the Premier Mine until recently. Four hundred and eighty-five natives have been introduced from British Central Africa within the last few days. As they are only now being sent to the Premier Mine an analysis of their capabilities as labourers is impossible.

No steps have been taken to recruit natives from British Central Africa Protectorate and North-Eastern Rhodesia for surface work on gold mines in accordance with permission given in November last.

H. S. COOKE,
Acting Pass Commissioner.

Johannesburg,
February 28, 1907.

MEDICAL HISTORY OF BRITISH CENTRAL AFRICAN NATIVES ALLOTTED BY THE WITWATERSRAND NATIVE LABOUR ASSOCIATION TO MINES IN KRUGERSDORP DISTRICT AND SUBSEQUENTLY TRANSFERRED TO THE PREMIER DIAMOND MINE, PRETORIA.

Krugersdorp Passport No.	Name of Native.	Name of Mine.	Date of Registration.	Date of admission to Hospital.	Date discharged from Hospital.	Nature of Disease.	Date of Transfer.	Pretoria Passport No.	Name of Mine.	Date of admission to Hospital.	Date of Discharge.	Date of Death.	Nature of Disease.	State of Health since Transfer.	Date sent Home on completion of Contract.
65943	Jack	Durban Roodepoort.	7 Oct. 1905	20 Oct. 1905 27 Nov. 1905	21 Oct. 1905 3 Dec. 1905	Cough ... Diarrhœa.	12 May 1906	25897	Premier Diamond Mine.	—	—	—	—	Good	27 Oct. 1906
65944	Ben	,,	,,	21 Oct. 1905 16 Dec. 1905	29 Oct. 1905 29 Dec. 1905	Diarrhœa ... Influenza.	,,	25920	,,	—	—	—	—	,,	,,
65945	Bonani ...	,,	,,	23 Oct. 1905 7 Dec. 1905 16 Dec. 1905	17 Nov. 1905 11 Dec. 1905 26 Dec. 1905	Pneumonia... Headache. Diarrhœa.	,,	25953	,,	—	—	—	—	,,	,,
65946	Bakalasi ...	,,	,,	21 Oct. 1905 29 Dec. 1905	23 Oct. 1905 2 Jan. 1906	Headache ... ,,	,,	25949	,,	—	—	—	—	,,	,,
65947	Tshibali ...	,,	,,	27 Oct. 1905	31 Oct. 1905	Bronchitis ...	,,	25956	,,	—	—	—	—	,,	,,
65948	Sintale ...	,,	,,	—	—	—	,,	25952	,,	6 Aug. 1906	14 Aug. 1906	—	Influenza ...	,,	,,
65949	Kapatengu...	,,	,,	19 Oct. 1905 23 Oct. 1905	20 Oct. 1905 20 Nov. 1905	Cough ... Pneumonia.	,,	25955	,,	—	—	—	—	,,	,,
65950	Missi ...	,,	,,	29 Jan. 1906	5 Feb. 1906	Influenza ...	,,	25957	,,	—	—	—	—	,,	,,
65951	Kambani ...	,,	,,	26 Oct. 1905 20 Nov. 1905 11 Jan. 1906	29 Oct. 1905 22 Nov. 1905 13 Jan. 1906	Headache ... ,, Diarrhœa.	,,	25926	,,	—	—	—	—	,,	,,
65952	Deremani ...	,,	,,	18 Oct. 1905 7 Dec. 1905	20 Oct. 1905 9 Dec. 1905	Sore throat... Headache.	,,	26114	,,	—	—	—	—	,,	,,
65954	Umdesa ...	,,	,,	13 Oct. 1905	19 Oct. 1905	Influenza ...	,,	26115	,,	6 Oct. 1906	10 Oct. 1906	—	Influenza ...	,,	,,
65955	Sam... ...	,,	,,	27 Nov. 1905	27 Nov. 1905	Headache ...	,,	25947	,,	—	—	—	—	,,	,,
65956	Henoko ...	,,	,,	25 Oct. 1905 26 Apr. 1906	29 Oct. 1905 29 Apr. 1906	Diarrhœa ... Headache.	,,	25902	,,	28 May 1906 6 Aug. 1906	31 May 1906 29 Aug. 1906	—	Colic ... ... Scurvy ...	Fair Good	,,
65957	Madowa ...	,,	,,	5 Mar. 1906	9 Mar. 1906	,, ...	,,	25946	,,	—	—	—	—	,,	,,
65958	Dalayisa ...	,,	,,	—	—	—	,,	25958	,,	—	—	—	—	,,	,,
65959	Hasera ...	,,	,,	19 Oct. 1905	29 Oct. 1905	Malaria ...	,,	25961	,,	—	—	—	—	,,	,,
65960	Joresia ...	,,	,,	23 Oct. 1905 2 Nov. 1905 16 Apr. 1906	29 Oct. 1905 6 Nov. 1905 25 Apr. 1906	Pneumonia... Headache. Boils.	,,	26116	,,	—	—	—	—	,,	,,
65962	Futasi ...	,,	,,	—	—	—	,,	26117	,,	23 June 1906	25 June 1906	—	Catarrh ...	,,	,,
65963	Ujobo ...	,,	,,	24 Nov. 1905	11 Dec. 1905	Diarrhœa ...	,,	26118	,,	2 June 1906	25 June 1906	—	Malaria ...	Fair	,,
65964	Umbeliga ...	,,	,,	—	—	—	,,	25959	,,	9 June 1906	2 July 1906	—	,, ...	,,	,,
65965	Matola ...	,,	,,	13 Oct. 1905 8 Nov. 1905 9 Dec. 1905 16 Dec. 1905	18 Oct. 1905 14 Nov. 1905 11 Dec. 1905 26 Dec. 1905	Rheumatism Headache. Sore eyes. Rheumatism.	,,	26119	,,	24 July 1906	10 Sept. 1906	—	Scurvy ...	Good	,,

Krugersdorp Passport No.	Name of Native.	Name of Mine.	Date of Registration.	Date of admission to Hospital.	Date discharged from Hospital.	Nature of Disease.	Date of Transfer.	Pretoria Passport No.	Name of Mine.	Date of admission to Hospital.	Date of Discharge.	Date of Death.	Nature of Disease.	State of Health since Transfer.	Date sent Home on completion of Contract.
65966	Manilo ...	Durban Roodepoort.	7 Oct. 1905	29 Dec. 1905	2 Jan. 1906	Headache ...	12 May 1906	25943	Premier Diamond Mine.	—	—	—	—	Good	27 Oct. 1906
65967	John ...	,,	,,	20 Nov. 1905 4 Nov. 1906 27 Feb. 1906 5 Apr. 1906 19 Apr. 1906	5 Dec. 1905 16 Nov. 1906 5 Mar. 1906 17 Apr. 1906 7 May 1906	Diarrhœa ... Sore side. Pleurisy Influenza. Epileptic fits.	,,	25956	,,	24 May 1906	31 May 1906	—	Simple fever ...	,,	,,
65968	Teyanga ...	,,	,,	9 Dec. 1905	14 Dec. 1905	Headache ...	,,	25962	,,	9 Aug. 1906	14 Aug. 1906	—	Contusion of leg	,,	,,
65969	Mdala ...	,,	,,	16 Oct. 1905 27 Oct. 1905 30 Oct. 1905 2 Dec. 1905	25 Oct. 1905 29 Oct. 1905 6 Nov. 1905 6 Dec. 1905	Diarrhœa ... ,, Influenza. Headache.	,,	25919	,,	2 Aug. 1906	20 Aug. 1906	—	Influenza ...	,,	,,
65971	Poloso ...	,,	,,	31 Oct. 1905 9 Jan. 1906	1 Nov. 1905 16 Jan. 1906	Headache ... Diarrhœa.	,,	26120	,,	—	—	—	—	,,	,,
65972	Matenda ...	,,	,,	1 Feb. 1906	5 Feb. 1906	Influenza ...	,,	25948	,,	23 June 1906	10 July 1906	—	Malaria ..	Fair	,,
65973	Gagambi ...	,,	,,	2 Nov. 1905 9 Jan. 1906	5 Nov. 1905 16 Jan. 1906	Diarrhœa ... Pneumonia.	,,	25954	,,	5 Oct. 1906	10 Oct. 1906	—	Influenza ...	Good	,,
65974	Umsero ...	,,	,,	23 Oct. 1905 22 Nov. 1905 23 Feb. 1906	28 Oct. 1905 27 Nov. 1605 3 Mar. 1906	Influenza ... Rash. Malaria.	,,	25939	,,	—	—	—	—	,,	,,
65975	Jim	,,	,,	—	—	—	,,	25900	,,	—	—	—	—	,,	,,
65976	Loti	,,	,,	10 Nov. 1905 9 Dec. 1905 26 Dec. 1905	13 Nov. 1905 12 Dec. 1905 26 Dec. 1905	Headache ... ,, Sore throat.	,,	25944	,,	—	—	—	—	,,	,,
62281	Madi ...	,,	24 Oct. 1905	—	—	—	,,	25915	,,	—	—	—	—	,,	,,
62019	Mtapi ...	,,	18 Oct. 1905	—	—	—	,,	25696	,,	—	—	—	—	,,	,,
62020	Makinyi ...	,,	,,	—	—	—	,,	25966	,,	—	—	—	—	,,	,,
62021	Katonda ...	,,	,,	27 Oct. 1905 27 Nov. 1905	13 Nov. 1905 17 Dec. 1905	Diarrhœa ... ,,	,,	26121	,,	—	—	—	—	,,	,,
62022	Chayima ...	,,	,,	28 Oct. 1905 8 Nov. 1905	2 Nov. 1905 5 Dec. 1905	Headache ... Diarrhœa.	,,	25905	,,	—	—	—	—	,,	,,
62027	Marambi ...	,,	,,	—	—	—	,,	25898	,,	—	—	—	—	,,	,,
62028	Mkamba ...	,,	,,	27 Oct. 1905 11 Dec. 1905	29 Oct. 1905 14 Dec. 1905	Headache ... Diarrhœa.	,,	25963	,,	—	—	—	—	,,	,,
62029	Kayipume ...	,,	,,	30 Oct. 1905 23 Jan. 1906	4 Nov. 1905 30 Jan. 1906	,, ,,	,,	25921	,,	—	—	—		,,	,,
62031	Kentagonga	,,	,,	6 Dec. 1905	7 Dec. 1905	,,	,,	25914	,,	—	—	—	—	,,	,,
62032	Chubavura...	,,	,,	—	—	—	,,	25917	,,	13 Aug. 1906	15 Sept. 1906	—	Malaria ...	Fair	,,
62033	Chumgumanje	,,	,,	3 Nov. 1905 13 Nov. 1905 9 Dec. 1905	10 Nov. 1905 17 Nov. 1905 26 Dec. 1905	Sore throat Influenza. Diarrhœa.	,,	25960	,,	2 July 1906	17 July 1906	—	Wounded toe...	Good	,,
62034	Muzame ...	,,	,,	—	—	—	,,	25901	,,	—	—	—	—	,,	,,

62035	Mazatingenje	,,	,,	6 Nov. 1905 24 Jan. 1906	13 Nov. 1905 29 Jan. 1906	Diarrhœa ... Headache.	,,	25964	,,	28 May 1806 27 July 1906	31 May 1906 4 Sept. 1906	—	Influenza .. Scurvy.	Fair	,,
62037	Muliro ...	,,	,,	1 Nov. 1905 11 Dec. 1905	10 Nov. 1905 26 Dec. 1905	Diarrhœa ... Influenza.	,,	25909	,,	23 June 1906	2 July 1906	—	Malaria ...	,,	,,
62038	Muandeni ...	,,	,,	3 Nov. 1905	10 Nov. 1905	Diarrhœa ...	,,	25942	,,	26 July 1906	—	27 July 1906.	Pneumonia, congestion of lungs.	Bad	,,
62039	Kanderika ...	,,	,,	28 Oct. 1905 21 Dec. 1905	14 Dec. 1905 28 Dec. 1905	,,	,,	25940	,,	—	—	—	Scurvy ...	Good	,,
62040	Chikusi	,,	,,	—	—	—	,,	25918	,,	—	—	—	—	,,	,,
62041	Chiberangi...	,,	,,	2 Nov. 1905	6 Nov. 1905	Diarrhœa ...	,,	25923	,,	7 Sept. 1906	19 Sept. 1906	—	Influenza ...	,,	,,
62042	Karagwa ...	,,	,,	18 Dec. 1905	28 Dec. 1905	,,	,,	25913	,,	—	—	—	—	,,	,,
62043	Mapalu ...	,,	,,	30 Oct. 1905	1 Nov. 1905	,,	,,	25910	,,	—	—	—	—	,,	,,
62044	Kazandiko ...	,,	,,	6 Nov. 1905 28 Dec. 1905	9 Nov. 1905 5 Jan. 1906	Cold ... Diarrhœa.	,,	25945	,,	27 July 1906	—	30 July 1906.	Scurvy, perforative peritonitis.	Bad	,,
62045	Chera ...	,,	,,	—	—	—	,,	26111	,,	—	—	—	Syncope ...	Good	,,
62046	Manondo ...	,,	,,	27 Oct. 1905 5 Dec. 1905 18 Dec 1905	13 Nov. 1905 9 Dec. 1905 26 Dec. 1905	Diarrhœa ... ,, ,,	,,	25916	,,	—	—	—	—	,,	,,
62047	Munyanga ...	,,	,,	—	—	—	,,	25904	,,	—	—	—	—	,,	,,
62048	Kandamira...	,,	18 Oct. 1905	4 Nov. 1905	6 Nov. 1905	Diarrhœa ...	12 May 1906	25912	,,	29 June 1906	—	4 July 1906.	Congestion of lungs, malaria.	Bad	—
62050	Kambiri ...	,,	,,	2 Nov. 1905 24 Jan. 1906	4 Nov. 1905 26 Jan. 1906	Headache ... ,,	,,	25941	,,	—	—	—	—	Good	27 Oct. 1906
62051	Ferani ...	,,	,,	27 Nov. 1905	9 Dec. 1905	Pneumonia...	,,	26112	,,	—	—	—	—	,,	,,
62124	Gweri ...	,,	,,	—	—	—	,,	25911	,,	—	—	—	—	,,	,,
62125	Chuwere ...	,,	,,	8 Nov. 1905	13 Nov. 1905	Headache ...	,,	25906	,,	—	—	—	—	,,	,,
62127	Tolwa ...	,,	,,	31 Oct. 1905 23 Nov. 1905	9 Nov. 1905 28 Nov. 1905	Diarrhœa ... Influenza.	,,	25907	,,	—	—	—	—	,,	,,
62130	Kanyangama	,,	,,	17 Jan. 1906 26 Oct. 1905 3 Nov. 1905 17 Nov. 1905	30 Jan. 1906 29 Oct. 1905 10 Nov. 1905 26 Nov. 1905	Pneumonia. Diarrhœa ... Headache. Influenza.	,,	25908	,,	—	—	—	—	,,	,,
62131	Kadumbu ...	,,	,,	1 Nov. 1905 28 Dec. 1905	6 Nov. 1905 5 Jan. 1906	Diarrhœa ... ,,	,,	25899	,,	—	—	—	—	,,	,,
62132	Zinyati ...	,,	,,	1 Nov. 1905 4 Dec. 1905	4 Nov. 1905 17 Dec. 1905	,, ,,	,,	25951	,,	—	—	—	—	,,	,,
62135	Munyerawo	,,	,,	—	—	—	,,	26113	,,	—	—	—	—	,,	,,
62023	Tamayone ...	,,	,,	30 Nov. 1905	12 Dec. 1905	Sore knee ...	,,	25965	,,	—	—	—	—	,,	,,
62024	Kamanga ...	,,	,,	6 Nov. 1905	12 Dec. 1905	Whitlow ..	,,	25922	,,	—	—	—	—	,,	,,
62026	Katsonya ...	,,	,,	6 Nov. 1905	17 Nov. 1905	Swollen hand	,,	25924	,,	—	—	—	—	,,	,,
62030	Kapumbu ...	,,	,,	—	—	—	,,	25903	,,	—	—	—	—	,,	,,
65970	Kasambi ...	,,	7 Oct. 1905	9 May 1906	22 May 1906	Pneumonia...	24 May 1906	24562	,,	—	—	—	—	,,	,,

MEDICAL HISTORY OF BRITISH CENTRAL AFRICAN NATIVES ALLOTTED BY THE WITWATERSRAND NATIVE LABOUR ASSOCIATION TO MINES IN KRUGERSDORP DISTRICT, AND SUBSEQUENTLY TRANSFERRED TO THE PREMIER DIAMOND MINE, PRETORIA.

Krugersdorp Passport No.	Name of Native.	Name of Mine.	Date of Registration.	Date of admission to Hospital.	Date of discharge from Hospital.	Nature of Disease.	Date of Transfer.	Pretoria Passport No.	Name of Mine.	Date of admission to Hospital.	Date of discharge from Hospital.	Date of Death.	State of Health since transfer.	Nature of Disease.	Date of transfer back to Roodepoort Central Deep.
68404	Magombi ...	Roodepoort Central Deep.	13 Jan. 1906	—	—	—	4 June 1906	24548	Premier	—	—	—	Good	—	2 Nov. 190
68437	Nyamasuka	,,	,,	—	—	—	,,	24532	,,	—	—	—	,,	—	,,
68383	Ganda ...	,,	,,	—	—	—	,,	24560	,,	—	—	—	,,	—	,,
68393	Chitembu ...	,,	,,	10 Apr 1906	12 May 1906	Pneumonia...	,,	24540	,,	—	—	—	,,	—	,,
68403	Matakenya...	,,	,,	1 Feb. 1906	2 Feb. 1906	,,	,,	24552	,,	—	—	—	,,	—	,,
68401	Tambola ...	,,	,,	27 Jan. 1906	1 Feb. 1906	,,	,,	24541	,,	—	—	—	,,	—	,,
68450	Magombi ...	,,	,,	23 Mar. 1906	1 Apr. 1906	,,	,,	24561	,,	—	—	—	,,	—	,,
68445	Chamai ...	,,	,,	21 Feb. 1906	26 Mar. 1906	Influenza ...	,,	24547	,,	—	—	—	,,	—	,,
68454	Kachuta ...	,,	,,	21 Feb. 1906	24 Feb. 1906	,,	,,	24533	,,	26 June 1906	2 July 1906	—	Fair	Malaria ...	,,
68446	Widiani ...	,,	,,	21 Feb. 1906	30 Feb. 1906	Bad cough ...	,,	24555	,,	27 June 1906	14 July 1906	—	,,	Influenza ...	,,
68439	Lubaria ...	,,	,,	18 Jan. 1906	10 Feb. 1906	Pneumonia...	,,	24558	,,	—	—	—	,,	—	,,
68443	Chindiza ...	,,	,,	26 Mar. 1906	31 Mar. 1906	Influenza ...	,,	24539	,,	—	—	—	,,	—	,,
68417	Machiola ...	,,	,,	12 Feb. 1906	13 Mar. 1906	Bad cough...	,,	24536	,,	14 Sept. 1906	19 Sept. 1906	—	,,	Diarrhœa ...	,,
68441	Kachinda ...	,,	,,	10 Mar. 1906	12 Mar. 1906	,,	,,	24545	,,	—	—	—	,,	—	,,
68438	Seremani ...	,,	,,	1 Feb. 1906	10 Mar. 1906	,,	,,	24546	,,	2 Aug. 1906 13 Sept. 1906	29 Aug. 1906 24 Sept. 1906	—	,, ,,	Pneumonia ... Influenza.	,,
68440	Kazitya ...	,,	,,	30 Mar. 1906	12 Apr. 1906	,,	,,	24543	,,	—	—	—	Good	—	,,
68434	Nderera ...	,,	,,	—	—	—	,,	24556	,,	—	—	—	,,	—	,,
68384	Pachikani ...	,,	,,	—	—	—	,,	24554	,,	1 Aug. 1906	—	11 Aug. 1906.	Bad	Pneumonia Malaria Scurvy	,,
68432	Banoli ...	,,	,,	4 Mar. 1906	10 Apr. 1906	Pneumonia...	,,	24544	,,	—	—	—	Good	—	,,
68397	Chekopa ...	,,	,,	—	—	—	,,	24551	,,	—	—	—	,,	—	,,
68442	Janiosi ...	,,	,,	24 Mar. 1906	30 Apr. 1906	Pneumonia...	,,	24538	,,	—	—	—	,,	—	,,
68436	Gadimika ...	,,	,,	—	—	—	,,	24557	,,	—	—	—	,,	—	,,
68412	Zirabantu ...	,,	,,	—	—	—	,,	24553	,,	—	—	—	,,	—	,,

68408	Madaliza ...	"	"	—	—	—	"	24549	"	—	—	—	"	—	"
68413	Tansi ...	"	"	2 Feb. 1906	20 Feb. 1906	Cough ...	"	24535	"	—	—	—	"	—	"
68427	Chikopa ...	"	"	—	—	—	"	24550	"	—	—	—	"	—	"
68428	Jirisi ...	"	"	8 Feb. 1906	24 Feb. 1906	Pneumonia...	"	24537	"	—	—	—	"	—	"
68426	Gomona ...	"	"	—	—	—	"	24559	"	—	—	—	"	—	"
68430	Kuzunwa ...	"	"	24 Feb. 1906	20 Mar. 1906	Pneumonia...	"	24534	"	—	—	—	"	—	"
68448	Matikiti ...	"	"	28 Feb. 1906	20 Mar. 1906	Influenza ...	"	24542	"	—	—	—	"	—	"

Health Return of the Twenty-nine British Central African Natives that were returned from Premier Mine to Roodepoort Central Deep.

Krugersdorp Passport No.	Pretoria Passport No.	Name of Native.	Nature of Employment.	Deaths.	Date of admission to Hospital.	Date of discharge from Hospital.	Nature of Disease.	Health during Period.	Date of Return Home.
81405	24560	Ganda	Drilling underground	Nil	20 Dec. 1906 ...	22 Dec. 1906 ...	Cough	Good	12 Feb. 1907.
81406	24559	Gomona	" "	"	Nil	—	—	"	"
81407	24537	Iviisi	" "	"	"	—	—	"	"
81408	24548	Magombi	" "	"	"	—	—	"	"
81409	24561	Magombi	" "	"	2 Jan. 1907 ...	24 Jan. 1907 ...	Influenza	"	"
81410	24547	Chamai	" "	"	Nil	—	—	"	"
81411	24550	Chikopa	" "	"	"	—	—	"	"
81412	24549	Mandaliza	" "	"	"	—	—	"	"
81413	24545	Kachinda	" "	"	"	—	—	"	"
81414	24540	Chitembu	" "	"	"	—	—	"	"
81415	24544	Banoli	" "	"	"	—	—	"	"
81416	24542	Matikiti	" "	"	"	—	—	"	"
81417	24551	Chekopa	" "	"	10 Dec. 1906 ...	20 Jan 1907 ...	Chicken pox ...	"	"
81418	24556	Mderera	" "	"	Nil	—	—	"	"
81419	24534	Kuzunwa	" "	"	"	—	—	"	"
81420	24532	Nyamsuka	" "	"	30 Nov. 1906 ...	4 Dec. 1906 ...	Cough	"	"
81421	24557	Gadimika	" "	"	Nil	—	—	"	"
81422	24539	Chindiza	" "	"	"	—	—	"	"

Krugersdorp Passport No.	Pretoria Passport No.	Name of Native.	Nature of Employment.	Deaths.	Date of Admission to Hospital.	Date of Discharge from Hospital.	Nature of Disease.	Health during Period.	Date of Return Home.
81423	24538	Janiosi	Drilling underground	Nil	Nil	—	—	Good	12 Feb. 1907.
81424	24546	Seremani	" "	"	"	—	—	"	"
81425	24536	Machiola	" "	"	"	—	—	"	"
81426	24553	Zirabantu	" "	"	"	—	—	"	"
81427	24555	Widiani	" "	"	3 Jan. 1907 ...	10 Jan. 1907 ...	Cough	"	"
81428	24535	Tansi	" "	"	Nil	Nil	—	"	"
81429	24558	Lubaria	" "	"	"	—	—	"	"
81430	24543	Kazitya	" "	"	"	—	—	"	"
81431	24541	Tameola	" "	"	"	—	—	"	"
81432	24552	Matekenya	" "	"	"	—	—	"	"
81433	24533	Kachuta	" "	"	"	—	—	"	"

TERRITORIAL ANALYSIS OF MORTALITY FROM DISEASE AMONGST NATIVES RECRUITED FROM AREAS NORTH OF LATITUDE 22° AND EMPLOYED ON ALL MINES AND WORKS IN PROCLAIMED LABOUR DISTRICTS (EXCLUSIVE OF NATIVES EMPLOYED BY CONTRACTORS), FOR THE PERIOD JULY, 1906, TO DECEMBER, 1906.

Territory.	July, 1906.			August, 1906.			September, 1906.			October, 1906.			November, 1906.			December, 1906.			July to December, 1906.		
	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.
Beira and Chinde	65	—	—	63	—	—	52	1	230·8	69	—	—	85	—	—	97	—	—	72	1	27·8
British Central Africa Protectorate	1,801	11	73·3	1,691	13	92·3	1,603	4	29·9	1,527	11	86·4	1,253	8	76·6	961	2	25·0	1,473	19	66·5
German South-West Africa ...	503	4	95·4	502	5	119·5	525	5	114·3	554	4	86·6	556	5	107·9	500	4	96·0	523	27	103·3
Mozambique	1,967	6	36·6	1,904	2	12·6	1,843	1	6·5	2,037	3	17·7	2,319	23	119·0	2,554	13	61·1	2,104	48	45·6
North-Eastern Rhodesia and Fort Jameson.	747	8	128·5	734	6	98·1	719	5	83·4	677	2	35·5	659	1	18·2	627	1	19·1	694	23	66·3
Nyassa	221	4	217·2	221	3	162·9	211	—	—	215	—	—	271	—	—	349	1	34·4	248	8	64·5
Southern Rhodesia	1,924	10	62·4	1,628	6	44·2	1,311	11	100·7	1,049	5	57·2	871	4	55·1	866	—	—	1,275	36	56·5
Zambesia, Quilimane, and Tete ...	815	2	29·4	759	1	15·8	770	1	15·6	908	2	26·4	1,127	6	63·9	1,366	10	87·8	958	22	45·9

E. = Average number of Natives employed.
D. = Deaths from disease.
Rate. = Rate per thousand per annum.

Total death rate ... ... 30·3
Death rate from all tropical areas ... ... 58·3
Death rate exclusive of tropical areas ... 27·9

Native Affairs Department,
Transvaal.

STATEMENT SHOWING TERRITORIALLY THE RELATION OF THE MORTALITY PERCENTAGE TO THE EMPLOYMENT PERCENTAGE AMONGST NATIVES EMPLOYED ON ALL MINES AND WORKS IN PROCLAIMED LABOUR DISTRICTS (EXCLUSIVE OF NATIVES EMPLOYED BY CONTRACTORS), FOR THE PERIOD JULY, 1906, TO DECEMBER, 1906.

Territory.	Number of Deaths.	Percentage of Mortality.	Average No. of Natives Employed.	Percentage of Supply.	Relation, Plus or Minus of Mortality Percentage to Employment Percentage.	Death Rate per 1000 per Annum.
Beira and Chinde	1	·1	72	·1	—	27·8
British Central Africa Protectorate ...	49	3·4	1,473	1·6	+ 1·8	66·5
German South-West Africa	27	1·9	523	·6	+ 1·3	103·3
Mozambique	48	3·4	2,104	2·2	+ 1·2	45·6
North-Eastern Rhodesia and Fort Jameson.	23	1·6	694	·7	+ ·9	66·3
Nyassa	8	·6	248	·3	+ ·3	64·5
Southern Rhodesia	36	2·5	1,275	1·4	+ 1·1	56·5
Zambesia, Quilimane, and Tete ...	22	1·5	958	1·0	+ ·5	45·9
Total, Tropical areas	214	15·0	7,347	7·8	+ 7·2	58·3
Total, exclusive of Tropical areas	1,211	85·0	86,759	92·2	— 7·2	27·9
Grand total	1,425	100·0	94,106	100·0	—	30·3

No. 21.

THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to THE SECRETARY OF STATE.

(Received March 25, 1907.)

[*Answered by despatch transmitting copies of Nos.* 23 *and* 25 *and by No.* 29.]

Government Offices, Zomba, British Central Africa,
February 4, 1907.

MY LORD,

WITH reference to Your Lordship's telegram, No. 21, of the 8th of November last,* informing me that as a further experiment for the year 1906 the recruitment was approved of 1,000 additional natives of British Central Africa for the Transvaal mines under certain conditions, I have the honour to enclose a report from the Superintendent of Native Affairs from which it will be seen that 500 natives have, under this permit, left the Protectorate for the Transvaal to work at the Premier Diamond Mine.

2. I understand that time did not allow of more labourers being recruited before the end of the year.

3. These 500 men are from Fort Johnston, in the South Nyasa district. They are Yaos, and are a healthy, sturdy lot. Judging from previous experience it would appear to be probable that the death-rate will be lower among these Yaos than has previously been the case with regard to natives recruited from districts west of Lake Nyasa.

4. The recruiting season under the existing arrangement has now closed until the 1st of July, and I shall be glad to hear from Your Lordship in due course whether further recruiting is to be permitted between July and December, 1907.

I have, &c.,
ALFRED SHARPE,
Commissioner.

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* No. 14.

Enclosure in No. 21.

SUPERINTENDENT OF NATIVE AFFAIRS, Zomba, to COMMISSIONER.

SIR, January 16, 1907.

I HAVE the honour to report that 515 natives of the South Nyasa district have been examined by Dr. Davey at Chiromo for service in the Transvaal. Of these, 15 were rejected, and the remaining 500 have been passed as being of fair average physique, of good health and fit to proceed to the Transvaal to work at the Premier Diamond Mine. These 500 natives are now on their way to Chinde in charge of Mr. L. Boardman, who recruited them. No more men will be recruited this season.

I have, &c.,
J. CHAS. CASSON,
Superintendent of Native Affairs.

No. 22.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD, Downing Street, March 28, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the 3rd of March,* covering reports on the health of natives from British Central Africa employed on the Premier Diamond Mine and on the Transvaal gold mines.

2. I have been glad to note the substantial reduction of the death-rate; but I must point out that it is still more than twice as high as the death-rate of natives recruited in non-tropical areas.

3. In view of this fact, and of the circumstances that the employment of a fresh batch of 480 natives of British Central Africa had just begun on the Premier Mine at the date of the Pass Commissioner's report, I should prefer to await returns of the mortality among British Central Africa natives for the first three months of the current year before deciding whether further recruitment in British Central Africa for the Premier Mine can be permitted. You will no doubt communicate a summary of the returns to me by telegraph.

4. I understand from the Commissioner of British Central Africa that the recruiting season does not begin until the 1st of July.

I have, &c.,
ELGIN.

No. 23.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

[*Answered by No.* 24.]

MY LORD, Downing Street, April 5, 1907.

I HAVE the honour to transmit to you a copy of a despatch† from His Majesty's Commissioner for the British Central Africa Protectorate regarding the recruitment of natives of the Protectorate for work on the Premier Diamond Mine.

You will observe that in this despatch reference is made to the departure of 500 natives; but in the enclosure to your despatch of the 3rd of March,* it is mentioned that 485 natives from British Central Africa have recently been introduced into the Premier Mine.

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* No. 20. † No. 21.

I should be glad to be informed whether anything is known as to the apparent failure of 15 natives to reach the Transvaal after leaving the Protectorate with the others.

I have, &c.,
ELGIN.

No. 23A.

THE HIGH COMMISSIONER to THE SECRETARY OF STATE.

(Received April 20, 1907.)

MY LORD, High Commissioner's Office, Johannesburg, March 30, 1907.

WITH reference to my despatch of January 28th,* I have the honour to enclose a copy of a reply received from the Resident Commissioner's Private Secretary to my despatch of January 26th, respecting the heavy mortality amongst native mine labourers in Southern Rhodesia during the quarter ended September 30th, 1906, together with copies of despatches which I have addressed to the Administrator and Resident Commissioner on the subject.

2. As regards paragraph 13 of my despatch to the Administrator, I refer Your Lordship to my despatch of to-day's date.*

I have, &c.,
SELBORNE,
High Commissioner.

Enclosure 1 in No. 23A.

PRIVATE SECRETARY TO RESIDENT COMMISSIONER, Salisbury, to IMPERIAL SECRETARY.

SIR, Resident Commissioner's Office, Salisbury, February 21, 1907.

BY direction of the Resident Commissioner I have the honour to refer to His Excellency the High Commissioner's despatch of 26th January, relative to the rate of mortality from disease amongst native miners during the quarter ended September 30th, 1906.

I enclose copy of correspondence with the Administration in this connection, and extracts from certain of the reports received from Compound Inspectors during the period in question.

It will be noticed that the high rate of mortality is due to severe epidemics of pulmonary complaints amongst alien natives, who, chiefly owing to their long journey and scarcity of food and clothing, arrive at the mines in a condition which renders them, during cold weather, very susceptible to these diseases.

I learn, however, that the Rhodesia Native Labour Bureau is giving this matter careful attention, and is making such arrangements as will ensure the labourers arriving at the mines in a fit condition.

With the advent of the warm weather there was less sickness from pulmonary complaints, but during the last quarter of 1906 scurvy was prevalent at some of the larger mines, to which disease a number of native labourers succumbed.

There is little doubt that in many instances mine managers are embarrassed by the unwillingness of their native employees to submit to medical treatment, and to the great difficulty experienced in persuading them to enter a hospital.

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* Not printed.

The evident inability of natives coming from north of the Zambesi River to withstand the cold climate may necessitate the limiting of the period during which they are recruited to the summer months; this is also the season of the year when local labour is scarce, and when the assistance of a labour bureau is most welcomed by employers of native labour.

I have, &c.,
C. Douglas-Jones,
Private Secretary.

The Imperial Secretary,
Johannesburg.

Sir, Resident Commissioner's Office, Salisbury, February 4, 1907.

With reference to your letter, No. 201, of the 7th November last, forwarding returns of mortality amongst Europeans and native miners in Southern Rhodesia for the quarter ended 30th September, 1906, I have the honour, by direction, to transmit, for your information, a copy of a despatch received from His Excellency the High Commissioner drawing attention to the fact that during this period the mortality from disease amongst native miners was 84.12 per thousand per annum, and requesting to be furnished with a report on the subject.

I enclose for your information a copy of the mortality return for Southern Rhodesia for the quarter ended 30th September, as forwarded to His Excellency. This return is compiled from the particulars furnished by you.

It will be found on examining the reports of the Compound Inspectors for the months of July, August and September, 1906, that at the Sabiwa Mine, in Division II., Matabeleland, there were severe epidemics of pneumonia and dysentery. During the same period 42 natives are reported to have died of pneumonia at the Ayrshire Mine, Lomagundi district; during the months of August and September 37 died at the Golden Valley Mine, Hartley district; and during September 13 at the Globe and Phœnix Mine. This mortality is reported as having chiefly occurred amongst natives from north of the Zambesi River.

The Chief Native Commissioner for Matabeleland in his review of the Reports of Inspectors of Native Compounds for July, 1906, states that the Inspector of Division II. had been instructed to make a special inspection of the accommodation provided for patients at the Sabiwa Mine and to report fully thereon. I should be obliged if I may be furnished with a copy of this report.

It would appear that the high death-rate from disease amongst native miners for the period in question is due to a prevalence of pulmonary complaints amongst natives from north of the Zambesi River, to which they seem particularly susceptible owing to the emaciated condition in which they arrive at the mines, and to the cold, which at this season of the year is often severe.

As efforts are being made to increase the supply of labour from this source His Honour the Resident Commissioner would be glad to learn whether any steps are being taken to guard against a recurrence of similar epidemics during the coming cold season, and for such information as will enable him to comply with His Excellency's request.

I have, &c.,
C. Douglas-Jones,
Private Secretary.

The Chief Secretary,
Salisbury.

Sir, Chief Secretary's Office, Salisbury, February 20, 1907.

I have the honour to acknowledge the receipt of your communication, No. 13, of the 4th instant, forwarding copy of a despatch received from His Excellency the High Commissioner on the subject of the rate of mortality amongst natives employed on mines in Southern Rhodesia during the quarter ended 30th September, 1906, requesting to be furnished with a report on the matter.

In reply, I have the honour to state that the high death-rate has for a considerable time been receiving the most earnest attention of the Administration, and full enquiry is made whenever any excessive mortality is reported in the monthly return of the Compound Inspectors.

It has been found that by far the larger proportion of the deaths are traceable to the unfit condition in which alien natives have in the past reached the mines after the long journey from their homes.

The following table shows the percentage of the alien and local natives employed on the mines during the six months ended 31st December, 1906 :—

—	Matabeleland.		Mashonaland.	
	Local.	Foreign.	Local.	Foreign.
	Per cent.	Per cent.	Per cent.	Per cent.
July	40½	59½	31¾	68¼
August	38	62	30	70
September	38½	61½	29½	70½
October	35½	64½	27	73
November	34½	65½	21½	78½
December	34	66	23	77

From this table it will be noted that the ratio of alien natives employed increases during the later months of the year.

The Rhodesia Native Labour Bureau, since its recent re-organisation in July, has made arrangements for clothing and feeding natives proceeding to employment, especially those from North-Eastern Rhodesia, among whom the mortality at the Ayrshire, Giant, and Sabiwa Mines was for a few months particularly marked. Steps have also been taken to impress upon all mining companies the great importance and necessity of careful attention being paid to the diet of northern, and, indeed, all natives employed on the mines.

The hospital and medical arrangements at those mines where the mortality has been serious, have been and are subject of constant representations to the mine managers, with the result that considerable improvement is steadily being paid in that direction, though, as is well known, it is very difficult to get natives to submit to hospital treatment in any form.

It may be added that the death-rate per annum per thousand given in the quarterly returns can hardly be accepted as a correct estimate for the year. The death-rate per thousand taken from the quarter returns for the year 1906 is 58.37, but exclusive of the Sabiwa, Ayrshire and Giant Mines the death-rate is 42.71.

As requested, I beg to transmit herewith copy of special report on the Sabiwa Mine furnished by the Inspector of Compounds, Division II., and would specially draw attention to the refusal of natives to sleep in the brick compound provided for them, and to take medicine when ill, which, no doubt, conduced largely to the serious nature of sickness at the mine.

I have, &c.,
H. H. CASTENS,
Chief Secretary.

The Secretary
to His Honour the Resident Commissioner,
Salisbury.

SPECIAL REPORT on the Health Conditions at the Sabiwa Mine, Gwanda District.

The health of the North-Eastern Rhodesia natives on this mine has been very bad, but other natives appear to enjoy fairly good health.

364 natives arrived from Fort Jameson two months ago under a twelve months' agreement of service, of the following tribes:—Awemba, Achewa, Angoni and Asenga; these natives were accompanied by an Assistant Native Commissioner, who remained with them for two weeks to see them fairly settled, and to observe the conditions under which they were to work. I attach one of the Agreements or Conditions of Service.

Shortly after their arrival they objected to living and sleeping in the brick compound where they were quartered, and insisted upon sleeping in the open square. Even their Assistant Native Commissioner could not induce them to sleep inside. Since then they have been allowed to erect huts for themselves close to the compound.

It is an undoubted fact that these natives are unable to stand the cold climate, and should not be brought into this country before the month of September, and then only on an eight months' agreement, so as to enable them to be back at their kraals before the winter. It is useless to try and get them to work on a cold day, they are unable to do it, and when the cold weather lasts for a few days they develop bad colds and pneumonia. So far out of the 364 natives 24 have died, and 33 have deserted. Cause of deaths: 20 pulmonary, 1 malaria, 2 dysentery, and 1 gangrene.

A new arrangement has been made as regards their pay; they now draw 12s. 6d. at the mine, and the balance, 10s., is deferred.

The sick natives require a deal of watching, and dread any medical examination, and will not willingly take medicine, and on the first opportunity will run into the bush and lie there until found and brought back to compound.

As regards medical attention, I would like to point out that there is only one doctor in the district of Gwanda, and he is also District Surgeon; he is required to make weekly visits to each mine; these are more or less flying visits, and if it happens that he is ill or called away to attend the High Court as a witness, then no medical man is nearer than Bulawayo. I cannot see how one doctor can give satisfaction. At the Sabiwa 44 white and an average of 1,000 natives are employed.

I am informed that the Sabiwa and Blanket Mines will probably have a resident surgeon between them shortly.

I have requested the manager of the Sabiwa Mine to have about six good hospital huts built, and have same enclosed within a stockade, and under a responsible native, who will prevent sick natives from wandering in the bush.

H. A. ELLIOTT,
Inspector of Native Compounds.

Gwanda,
August 22, 1906.

EXTRACT from Review of Reports of Inspectors of Native Compounds for the month of July, 1906.

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Health.

Sixty-two deaths were reported as against thirty-one for the previous month. At the Sabiwa Mine alone there were twenty-three deaths; a large number of natives from northern Zambesi are employed here; the Inspector has been instructed to make a special inspection of the accommodation provided for the patients at this mine and to report fully thereon, giving full particulars in regard to medical attendance, &c.; with this exception the health of the natives employed on all mines is good.

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HERBERT J. TAYLOR,
Chief Native Commissioner.

Chief Native Commissioner's Office,
Bulawayo,
August 20, 1906.

EXTRACT from Report of the Inspector of Native Compounds, Division (2), Matabeleland, for the month of July, 1906.

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Health.

The health has not been satisfactory, deaths total 39, mostly from pneumonia, the majority being of natives north of the Zambesi. Deaths at the Sabiwa Mine number 23. I have informed the manager that I am not satisfied with the treatment of the sick natives. That they must receive more consideration. That the hospital huts must be built away from the compound, and proper natives told off to look after the sick, or otherwise all sick natives must be sent to the District Hospital at Gwanda.

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H. A. ELLIOTT.

EXTRACT from the Report by the Inspector of Native Compounds, Lomagundi District, for the month of July, 1906.

Ayrshire Mine.

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As will be seen from the accompanying labour return the number of deaths was particularly heavy again, pneumonia being responsible for by far the greater number. Mattresses have been furnished to the hospital, and make the beds more comfortable, but I do not think that the patients appreciate them as they should.

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W. E. SCOTT,
Inspector of Native Compounds.

Lomagundi,
August 12, 1906.

EXTRACT from the Report of the Inspector of Compounds for the Hartley District for the month of July, 1906.

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Health.

The deaths of 41 natives were reported. Thirty-six of these deaths were due to pulmonary complaints and one to accidental drowning.

This heavy mortality appears to be due to the sharp cold which has been experienced during the month and to the weak state of many of the natives arriving from the north. Also, to a certain extent, to the want of blankets and clothing. I noticed one gang of recently arrived natives in particular. Many of them were burnt about the chest and abdomen through sleeping too close to their fires in order to keep warm. It is, therefore, only natural that they should be susceptible to pulmonary complaints. At several of the mines the natives are supplied with blankets on arrival, where necessary, and I am endeavouring to arrange with all the mines to adopt this course.

From the Giant Mine only eight deaths are reported as against 15 for the previous month. There are some 800 natives employed on this mine, and every effort is made to cope with the sickness. On the occasion of my last visit I attended sick parade. Some 19 natives reported themselves sick and were examined by the District Surgeon. Three were at once admitted to hospital and the others, suffering from trivial complaints, were treated as out-door patients. I think that the health of the natives will rapidly improve with the warm weather. At all the mines visited sick natives appeared to receive good treatment, but I think that the Government Hospital at Hartley should be utilized to a greater extent. It is, however, extremely difficult to persuade natives to go into hospital, as the majority absolutely refuse to take advantage of it, preferring to remain with their brothers in the compound or in some secluded spot in the neighbourhood.

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STALEY N. G. JACKSON,
Inspector of Native Compounds.

Hartley,
August 8, 1906.

EXTRACT from Review of Reports of Inspectors of Native Compounds for the month of August, 1906.

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Health.

Eighty deaths were reported as against sixty-two for July.

With the exception of those employed in Division II. (Gwanda), the health of the natives is remarkably good. Of a total number of 8,964 natives employed in Divisions I., III. and IV. and at the Wankie Colliery, only thirty-four deaths occurred, three of which were the result of accidents. Of 2,829 natives employed in Division II., forty-six died.

At the Sabiwa Mine, where 880 boys are employed, there were twenty-six deaths, as against twenty-three for July, pneumonia being responsible for twelve deaths as against nineteen. Unfortunately dysentery appears to have broken out at this mine which has swelled the death-rate, no less than ten having succumbed to this disease; the question of having a permanent medical man on the mine is receiving the attention of the mine authorities, and I hope to be in a position to report shortly that this has been done; with the exception of this mine and the Blanket Mine, where ten deaths occurred, chiefly from pneumonia, the health at all other mines in the division is decidedly good.

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HERBERT J. TAYLOR,
Chief Native Commissioner.

Chief Native Commissioner's Office,
Bulawayo,
September 20, 1906.

EXTRACT from Report of the Inspector of Native Compounds, Division 2, Matabeleland, for the month of August, 1906.

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Health.

The health of the natives is still bad, but no doubt it will improve with the warm weather. Scurvy is on the increase. Six huts are being built at the Sabiwa Mine, these are to be used as hospitals for the various tribes working there.

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H. A. ELLIOTT,
Inspector of Native Compounds.

Gwanda,
September 1, 1906.

EXTRACT from the Report by the Inspector of Native Compounds, Lomagundi District for the month of August, 1906.

Ayrshire Mine.

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As will be noticed from the accompanying return the deaths have been very heavy, and that pneumonia has been the main cause of death.

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W. E. SCOTT,
Inspector of Native Compounds.

Lomagundi,
September 17, 1906.

EXTRACT from the Report of the Inspector of Compounds for the Hartley District for the month of August, 1906.

Health.

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There has been a considerable increase in the number of deaths as compared with the previous month, the figures being 69 as against 41. Of these 27 deaths occurred amongst natives employed on the Golden Valley Mine. In my Magisterial capacity I deemed it advisable to request the District Surgeon to visit the mine and report as to the nature of the outbreak and the adequacy of the means being adopted for the isolation and proper care of the persons infected. His report has been forwarded. He recommends the erection of a proper hospital hut with cement floor and canvas stretchers, and I shall take steps to secure the carrying out of his recommendation. The majority of the deaths were due to pulmonary complaints, and occurred among natives who had recently arrived from the north.

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At all the other mines visited the health of the natives was good. I may mention that several of the natives from the Golden Valley Mine died in the Hartley Government Hospital, and that a number absolutely refused to go to hospital.

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STALEY N. G. JACKSON,
Inspector of Native Compounds.

Hartley,
September 11, 1906.

EXTRACT from Review of Reports of Inspectors of Native Compounds for the month of September, 1906.

Health.

Eighty-two deaths were reported as against eighty for month previous, seven of which were the result of accident—in each case inquests were held; there has been a slight decrease in the number of deaths from pneumonia, and in view of the approach of the warm weather there should be a general improvement in the state of the health of natives from North-Eastern Rhodesia, who are so prone to suffer from the sudden changes in the climate.

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H. J. TAYLOR,
Chief Native Commissioner.

Chief Native Commissioner's Office,
Bulawayo,
October 23, 1906.

EXTRACT from Report of the Inspector of Native Compounds, Division 2, Matabeleland, for the month of September, 1906.

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Health.

Since the advent of the warm weather there has been a great improvement in the health of the natives employed on the mines, very few cases of pneumonia have proved fatal.

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H. A. ELLIOTT,
Inspector of Native Compounds,
Division 2.

Gwanda,
October 1, 1906.

EXTRACT from Report of the Inspector of Native Compounds, Divisions 3 and 4, Matabeleland, for the month of September, 1906.

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Health.

It will be noticed that there is an exceptionally high death-rate at the Globe and Phœnix. Most of these deaths occurred amongst newly arrived natives from the north, some of whom reached the mine in a weak and emaciated condition. Efforts are being made to reduce this death-rate by giving change of diet, isolating scurvy patients, of whom there are a large number, and by the destruction of infected huts.

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C. L. CARBUTT,
Inspector of Native Compounds.

EXTRACT from the Report by the Inspector of Native Compounds, Lomagundi District, for the month of September, 1906.

Ayrshire Mine.

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The number of deaths occurring comes to 15, of which number seven were caused by pneumonia.

The greater proportion of the natives employed on this mine come from north of the Zambesi, and suffer from the change of latitude a deal on first coming down.

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W. E. Scott,
Compound Inspector,
Lomagundi.

Extract from the Report of the Inspector of Compounds for the Hartley District for the month of September, 1906.

Health.

There has been a marked improvement in the health of the natives employed on the mines, but the mortality for the month was heavy. Fifty-one deaths were reported as against 69 for the previous month. As usual pneumonia has been the chief cause of sickness, but there were also a number of cases of scurvy. For the latter lime juice is being freely used. At all the mines visited the natives appeared to receive fairly good attention when ill.

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Staley N. G. Jackson,
Inspector of Native Compounds.

Hartley,
October 10, 1906.

Enclosure 2 in No. 23a.

High Commissioner to Administrator, Salisbury.

Sir, High Commissioner's Office, Johannesburg, March 30, 1907.

I have the honour to refer you to a letter, No. 13, of February 4th, addressed to the Chief Secretary by the Private Secretary to the Resident Commissioner on the subject of the high rate of mortality amongst native miners in Southern Rhodesia revealed by the returns for the quarter ended September 30th last, and to Mr. Castens's reply, No. 37, of February 20th.

2. I think that the disastrous sickness which is reported to be prevalent in various forms among the native mine labourers of Southern Rhodesia, demands serious attention, and that the Secretary of State will require some clearer evidence than is provided by the correspondence that measures of real efficacy are being taken to cope with it.

3. I enclose a copy of some notes which have been made in my office on the reports furnished by the Chief Secretary, and I shall be glad of your observations on the various points therein brought forward.

4. The outstanding features provided by the reports of the Inspectors of Native Compounds appear to be the great prevalence of pulmonary disease during the winter months, the weak and emaciated state in which the natives from the north of the Zambesi arrive at their destination, the inadequacy of the medical attendance and of the hospital accommodation and arrangements on some of the mines, and the possibly unsatisfactory nature of the diet provided on the Globe and Phœnix Mine. I also observe that the death-rate rules highest among the natives recruited in the Northern Territories, and that these natives supply by far the greater portion of the labour employed on the mines of both provinces.

5. I do not doubt that you will share my opinion that the continued fertility of the sources from which this great supply of alien labour is drawn is largely, if not entirely, dependent upon an improvement of the conditions under which it is obtained. I, indeed, regard it as a matter of pressing importance to the mining industry of Southern Rhodesia that its recruiting machinery should be carefully

overhauled and the defects which experience has shown to be existent and avoidable remedied without delay. I understand that the Secretary for Native Affairs in North-Western Rhodesia lately conferred with the authorities of the Rhodesia Native Labour Bureau with the object of making arrangements for the reception and treatment of native labourers from that territory, and that he is satisfied with the measures now taken for their well-being. I do not, however, know what is being done in a similar respect for the native labourers arriving from North-Eastern Rhodesia, and I fear, after perusing the reports which have been furnished to me, that the arrangements made are inadequate to a very serious degree.

6. I am assuming that the natives recruited are, at the time of commencing their journey to the mines, healthy and able-bodied men, and I do not propose to deal with the question of their requirements and health up to the time when they cross the border. These matters concern the Administration of North-Eastern Rhodesia, where I have no control as High Commissioner. My inquiry is directed towards the progress of the recruited natives through Southern Rhodesia to the scene of their labour, and their treatment when they arrive there.

7. The Inspector of Native Compounds in the Hartley district has reported that natives on reaching some of the mines under his supervision are burned about the chest and abdomen through sleeping too closely to their fires. Would these natives, who have exchanged the hot climate they are accustomed to for the comparatively cold temperature of a high plateau, do this if they were in possession of blankets?

8. I shall glad if you will ask the Rhodesia Native Labour Bureau to report upon the practicability or otherwise of instructing their agents in all cases to issue blankets to natives engaged by them. Also to provide with blankets all natives not possessing them who may arrive at any of the depôts which I understand are provided at intervals along the paths by which natives proceed to Southern Rhodesia. The cost of these blankets might be deducted from the first month's wages.

9. I feel much disturbed at the complaints made regarding the treatment of sick natives. Notwithstanding their partiality to "white man's medicine," it appears that they persistently refuse to enter hospital for treatment. I think it might be possible by the exercise of a little patience to overcome their objections.

10. I am strongly of opinion that large establishments like that of the Sabiwa Mine should include a resident doctor who, in co-operation with the Inspector of Native Compounds, will do everything in his power to bring about a reduction in the truly appalling death-rate.

11. This despatch has hitherto dealt principally with the mortality arising from pneumonia. I notice that during September there were a large number of cases of scurvy, many of which appear to have proved fatal, on the Globe and Phœnix Mine. You had occasion not long ago to ask the Medical Director to report on the high death-rate prevailing during the last quarter of 1905, when you elicited the fact that the mortality was mainly due to scurvy. In view of the experience which should have been gained then, I am not satisfied that all possible precautions have consistently been taken to guard against a recurrence of the disease. For example, when reporting on the Globe and Phœnix Mine in September the Inspector states that efforts were being made to reduce the death-rate by effecting a change of diet. I do not know whether effect has been given to this recommendation, but I think that the Administration should require the mine authorities to arrange a scale of rations of a kind upon which the natives are known to thrive, and that the Inspector should see that this scale is adhered to.

12. I am sending copies of this despatch and the correspondence on which it is based to the Secretary of State, and I trust that your reply will serve to convince His Lordship that the Southern Rhodesia Administration are not only thoroughly alive to the need for drastic reform, but that they are already taking steps in that direction. It may be of interest to you to know that recruiting for the Witwatersrand mines in British Central Africa is no longer permitted by His Majesty's Government, on account of the great mortality amongst natives from those regions, which, however, was considerably lower than that disclosed by your returns.

13. Since writing the foregoing I have seen the returns of mining mortality in Southern Rhodesia for the succeeding quarter to that reviewed in this despatch, and I notice that the native death-rate from disease was then 74.84 per thousand per annum. I shall be obliged if you will let me have a detailed report in regard to this quarter also, as none accompanied the return.

14. My general impression, after studying the reports and figures furnished, is that legislative steps are necessary in order to ensure adequate supervision by the Government of the conditions under which natives are employed in the Southern Rhodesia mines.

15. It cannot be too strongly impressed upon all concerned that to allow any proportion of this mortality to continue, owing to want of care, forethought, attention or reasonable expenditure, will be as stupid, when regarded from the point of view of business, as it will be indefensible, when regarded from the point of view of humanity.

I have, &c.,
SELBORNE,
High Commissioner

Sir William Milton, K.C.M.G.,
Administrator of Southern Rhodesia,
Salisbury.

Sabiwa Mine.

According to the reports furnished on this mine, where an average of 1,000 natives are employed, the number of deaths during July and August were 23 and 26, respectively, 31 of which were due to pneumonia. Out of 364 natives recruited in North-Eastern Rhodesia on a twelve months' agreement of service, during two months 20 died from pulmonary complaints, four from other diseases, and 33 deserted. This batch of natives are stated to have insisted on sleeping in the open air, in spite of the efforts of their Assistant Native Commissioner, who had accompanied them from North-Eastern Rhodesia, to induce them to sleep inside the brick compound provided for them. It is supposed that the Assistant Native Commissioner was able to elicit from the natives some reason for their professed aversion to the compound, and that he communicated it to the mine authorities with a view to any reasonable objection being met, but no information is given on this point. Sick natives on this mine are said to dread any medical examination and to be unwilling to take medicine, and the Inspector of Native Compounds reports: "I am not satisfied with the treatment of the sick natives, they must receive more consideration." The visiting doctor should be asked to give his report on these circumstances, as in view of the enormous death-rate such a state of things should not be allowed to continue. The medical attendance is reported to be infrequent and irregular, but this is due apparently to the fact that there is only one doctor in the district. The Inspector of Native Compounds was informed in August that the Sabiwa and Blanket Mines would probably have a resident surgeon between them shortly. The Chief Native Commissioner stated in September that the question of having a permanent medical man on the mine was receiving the attention of the mine authorities. The Chief Secretary's letter, however, does not state what, if anything, has been done in the direction of ensuring regular medical attendance.

Ayrshire Mine.

The Inspector of Native Compounds reports a heavy mortality on this mine during each of the three months, pneumonia being principally the main cause of death. No remark, however, is made on the subject by the Chief Native Commissioner in his reviews. The treatment of such natives on the Ayrshire Mine was subjected to strong criticism in the Inspector's reports of October and November, 1904. He complained then of the insufficiency of bedding provided in the hospital, and expressed the opinion that the cooking and nursing staff were capable of improvement. In August, 1906, the Inspector is able to report that the beds have been furnished with mattresses, but that the patients are still unappreciative. It would be well if the Administration satisfied itself that no measure of responsibility for this lack of appreciation adheres to the mine authorities, by ascertaining whether the bedding now provided is in all respects suitable and adequate, and whether the cooking and nursing arrangements are what they should be.

Globe and Phœnix.

An exceptionally high death-rate is reported for September on the Globe and Phœnix Mine and is apparently attributable to the prevalence of scurvy. It is stated that efforts are being made to reduce this death-rate by, *inter alia*, a change of diet. The Administration has presumably satisfied itself that the diet is to be permanently improved and that lime juice is in general use on this mine.

Giant Mine.

800 natives are employed here but, although the death-rate is high (15 deaths occurred in July and eight in August apparently from pulmonary complaints), there does not appear to be a resident doctor. No report is made regarding the hospital arrangements on this mine.

Golden Valley.

Twenty-seven deaths, principally from pulmonary complaints, occurred here during August, and it was considered necessary to request the District Surgeon to visit and report on the mine. He recommended the erection of a proper hospital hut with cement floor and canvas stretchers; and here, again, it is to be noticed that a number of natives absolutely refused to go into hospital. The Chief Secretary does not state that the District Surgeon's recommendation has been carried out.

Hartley District.

The Inspector of Native Compounds reports upon the want of blankets and clothing, and that he had noticed that natives on arrival were in many cases burnt about the chest and abdomen through sleeping too close to their fires. He states that at several of the mines natives are supplied with blankets on arrival, where necessary, and that he is endeavouring to arrange with all the mines to adopt this course. Neither the Chief Native Commissioner nor the Chief Secretary comment upon this important aspect of the question of checking the severe outbreaks of pulmonary disease.

Enclosure 3 in No. 23A.

HIGH COMMISSIONER to RESIDENT COMMISSIONER, Salisbury.

SIR, High Commissioner's Office, Johannesburg, March 30, 1907.

I HAVE the honour to acknowledge the receipt of your Private Secretary's letter, No. 31, of February 21st, relative to the mortality on the Southern Rhodesia mines during the quarter ended September 30th, 1906, and to enclose a copy of a despatch which I have addressed to the Administrator on the subject.

30th March, 1907.

2. As regards paragraph 13 of my despatch, I refer you to your Private Secretary's letter, No. 38, of March 15th.

I have, &c.,
SELBORNE,
High Commissioner.

The Resident Commissioner
of Southern Rhodesia,
Salisbury.

No. 24.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received June 22, 1907.)

[*Answered by No. 25.*]

MY LORD, Governor's Office, Johannesburg, June 3, 1907.

WITH reference to your despatch of the 5th April,* I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of the recruitment of native labourers from the British Central Africa Protectorate for work on the Premier Diamond Mine.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 24.

MINISTERS to GOVERNOR.

(Minute No. 176.)

Prime Minister's Office, Pretoria, May 29, 1907.

With reference to His Excellency the Governor's Minute, No. 50/5/07, of the 26th ultimo, Ministers have the honour to forward, for His Excellency's information, the enclosed statement showing the number of British Central Africa natives who were recruited for service on the Premier Diamond Mine for the season 1906-7.

It will be seen that of 515 natives originally recruited only 488 arrived in the Transvaal, and therefore the wastage *en route* amounted to 27.

J. C. SMUTS.

WITWATERSRAND NATIVE LABOUR ASSOCIATION, LIMITED.

Statement with regard to British Central Africa natives recruited by the above Association during the season 1906-7.

Number of British Central Africa natives despatched		515
Number rejected *en route* to Johannesburg	14	
Number died *en route* to Johannesburg	9	
Number deserted *en route* to Johannesburg	1	
Number repatriated	1	
Number not arrived at Johannesburg	2	
		27
Received at Johannesburg :—		
11th February, 1907	189	
21st February, 1907	296	
28th February, 1907	1	
11th March, 1907	2	
		488
		515
Number of British Central Africa natives received at Johannesburg ...		488

Allotted as under :—

Premier Diamond Mining Company, February 15th ...	171	
Premier Diamond Mining Company, February 25th ...	285	
Premier Diamond Mining Company, March 6th	9	
Premier Diamond Mining Company, March 15th	9	
Premier Diamond Mining Company, March 28th	8	
		482

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* No. 23.

Died in Witwatersrand Native Labour Association's *depôt* (before allotment)	1	
1 native from dysentery on March 18th. Rejected by the Assistant Medical Officer as unfit for allotment, and repatriated on April 12th, 1907.		
1 native suffering from pneumonia	1	
		484
Balance in Witwatersrand Native Labour Association's compound, pending allotment		4
		488

Johannesburg,
May 15, 1907.

No. 25.

The SECRETARY OF STATE to the GOVERNOR OF THE TRANSVAAL.

[*Answered by No.* 39.]

My Lord, Downing Street, July 3, 1907.

I have the honour to acknowledge the receipt of your despatch of the 3rd of June,* forwarding a Minute from your Ministers on the subject of the recruitment of natives from the British Central Africa Protectorate for work on the Premier Diamond Mine.

2. I should be glad to receive further information as to the high rate of mortality among these natives *en route*, the reason why 14 were rejected after the journey began, and also an explanation why two failed to arrive at Johannesburg.

I have, &c.,
ELGIN.

No. 26.

THE ACTING COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to the SECRETARY OF STATE.

(Received 2.54 p.m., 10th July, 1907.)

Telegram.

[*Answered by No.* 29.]

10th July. No. 17. Has any decision been arrived at with regard to recruiting for Transvaal mines? 2,000 or 3,000 natives are anxious to be recruited and if recruiting is not permitted large proportion would probably proceed of their own accord.—Pearce.

No. 27.

The SECRETARY OF STATE to the GOVERNOR OF THE TRANSVAAL.

(Sent 12.15 p.m., 12th July, 1907.)

Telegram.

[*Answered by No.* 28.]

12th July. No. 1. Referring to my despatch 28th March† please telegraph mortality statistics asked for. Commissioner British Central Africa wishes to know whether recruiting is desired this year.—Elgin.

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* No. 24.

† No. 22.

No. 28.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 9.50 p.m., 15th July, 1907.)

TELEGRAM.

[*Answered by No.* 30.]

15th July. A. Your telegram of 12th July, No. 1.* Despatch† goes by mail to-day enclosing copy of Ministers' Minute in which they ask that recruiting for the Witwatersrand Gold Mines from all tropical areas may be resumed provided that—

(1.) Labourers arrive not earlier than 1st August nor later than 31st March.
(2.) Special care be taken under medical (? supervision) in selection of recruits.
(3.) No labourers be employed underground within one month of arrival.
(4.) Special medical surveillance be exercised while they are on mines.

General mortality rate among tropical natives for period 1st July, 1906, to 30th April, 1907, is 57 per 1,000. Numbers of British Central African labourers only employed in labour districts and death rates amongst them for first four months of this year are as follows:—January: employed 713, died 1; rate 16.8 per 1,000. February: employed 559, died 5; rate 107.3. March: employed 653, died 3; rate 55.1. April: employed 789, died 3; rate 45.6.—SELBORNE.

No. 29.

THE SECRETARY OF STATE to THE ACTING COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE.

(Sent 6.10 p.m., 24th July, 1907.)

TELEGRAM.

24th July. No. 19. Referring to your despatch, 4th February, and your telegram, No. 17, 10th July,‡ I am willing to allow up to 2,000 natives to be recruited from British Central Africa Protectorate for surface work on gold mines and for Premier Diamond Mine if required, but I am unable to consent to their employment on underground work.

I am also willing, provided that British South Africa Company and Administrator of North-Eastern Rhodesia raise no objections, that natives should be recruited from North-Eastern Rhodesia for surface work up to a limit to be fixed with the concurrence of the Administrator. I am telegraphing to Governor, Transvaal, accordingly.—ELGIN.

No. 30.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 6.10 p.m., 24th July, 1907.)

TELEGRAM.

[*Answered by No.* 36.]

24th July. No. 1. Your telegram A 15th July.§ I regret that I cannot sanction employment of natives of British Central Africa Protectorate on underground work in gold mines in view of comparatively high mortality, in spite of fact that considerable proportion employed on Premier Mine, but I am willing that up to 2,000 should be recruited on conditions 1, 2, and 4 mentioned in your telegram, for surface work only on gold mines or for Premier Diamond Mine if required.

As regards natives of North-Eastern Rhodesia, provided that British South Africa Company and Administrator of North-Eastern Rhodesia raise no objection, I am willing that recruitment for surface work should take place of such numbers as may be asked for up to a limit to be fixed with the concurrence of the Administrator.

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* No. 27. † No. 31. ‡ Nos. 21 and 26. § No. 28.

I am informing Commissioner, British Central Africa Protectorate, accordingly.—ELGIN.

No. 31.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received August 3, 1907.)

[*Answered by No.* 33.]

MY LORD,

Government House, Pretoria, July 15, 1907.

WITH reference to my despatch of the 6th August, 1906,* and to connected correspondence, respecting the recruitment of native labourers from tropical areas for work on the Witwatersrand gold mines, I have the honour to transmit to you the accompanying copy of a minute from my Ministers enclosing a copy of a letter from the Witwatersrand Native Labour Association on the subject.

2. I shall be glad if your Lordship will inform me at an early date, by telegraph, if possible, whether you agree with the views expressed in my Ministers' Minute, and if so, whether His Majesty's Government will allow the territories referred to to be opened up for labour recruiting under the special conditions recommended.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 31.

MINISTERS to GOVERNOR.

(Minute. No. 311.)

Prime Minister's Office, Pretoria, July 10, 1907.

Ministers have the honour to invite the notice of His Excellency the Governor to the enclosed copy of a letter from the Witwatersrand Native Labour Association requesting that the Board of Management may be informed as to the future policy of the Government regarding the recruitment of native labour in the tropical regions of South Africa north of latitude 22°.

As His Excellency is aware, the question is one which has received a considerable amount of attention during the past three years, as between the representatives of the mining industry, the Transvaal administration, and the Imperial Government.

It does not seem necessary now to revert to the voluminous correspondence which has taken place upon this subject, and which has been carefully reviewed in the Annual Blue Books of the Native Affairs Department for the years 1904-5-6.†

Ministers would only refer, therefore, to the most recent report from the Commissioner for Native Affairs, dated the 30th July, 1906, and to His Excellency's covering despatch thereon to the Secretary of State for the Colonies of the 6th August, 1906.

In that report the general effect upon the health of native labourers from tropical areas during the period of their employment on the mines was critically surveyed up to the 30th June last year.

The present position with respect to recruiting restrictions and operations in the tropical regions is briefly set forth in the letter from the Witwatersrand Native Labour Association, and the particular questions of policy upon which the consideration of Government is now asked, are also indicated therein.

In order to follow the mortality rate amongst labourers recruited from all territories north of latitude 22°, a statement is submitted showing the average numbers employed, the deaths from disease, and the death-rate per 1,000 per annum, during the years 1904-5, 1905-6, and the ten months 1st July, 1906, to 30th April, 1907.

It will be observed that whilst the average number of natives employed from each of the tropical territories has been maintained with little variation over the whole period, the average mortality rate, which was as high as 130·1 in 1904-5, fell in 1905 to 99·5, and has still further decreased since the 1st July last year to 57 per 1,000 per annum.

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* No. 6.

† For these Annual Reports see p. 101 of [Cd. 2401] (1903–4), p. 123 of [Cd. 2819], 1904-5, and p. 86 of [Cd. 3528] (1905–6).

Although there has been such a pronounced improvement in the death-rate, it still compares unfavourably with the present average mortality of 30 per 1,000 amongst native labourers from the territories of the rest of South Africa.

It may, nevertheless, be said that the average death-rate since the 1st July last year is not so excessively high as to render it imperative upon the Government, on humanitarian grounds, to entirely prohibit the recruitment of labour from all areas north of 22°.

Such a high rate clearly points, however, to the necessity for placing certain restrictions upon recruiting operations, and for the adoption of particular precautions in regard to the selection and employment of recruits from those regions.

It might reasonably be suggested therefore:—

(1) That all the territories in question might be opened for active recruiting so that the recruits may arrive on the mines not earlier than the 1st August nor later than the 31st March;
(2) That special care be taken, under medical supervision, in the selection of recruits, and for the immediate rejection of those who may be found to be physically unfit for labour;
(3) That as a precautionary measure no natives thus recruited should be employed upon underground work within one month of their arrival on the mines; and
(4) That they be subject to special medical surveillance during that period under the Coloured Labourers Health Regulations.

Ministers are strongly impressed with the view that the labour question is of such economic importance to the whole of South Africa—especially at the present time—that any restrictions upon the natural development of its local sources of supply can only be justified upon the gravest grounds, and every effort to improve the health conditions should, therefore, be exhausted before any area is actually closed against the recruitment of labour.

Under the circumstances, Ministers express the hope that representations may be made by His Excellency to His Majesty's Government, with a view to opening up the territories referred to as soon as possible, under the special conditions recommended in this minute.

LOUIS BOTHA.

WITWATERSRAND NATIVE LABOUR ASSOCIATION.

SIR, Chamber of Mines Buildings, Johannesburg, May 30, 1907.

I AM directed by my Board of Management to address you on the subject of the recruiting of natives to work on the Witwatersrand from semi-tropical areas, *i.e.*, those north of latitude 22°.

I need not recapitulate the previous correspondence on this subject, which is in your possession, but as you are aware, the present position is as follows:—

(1) As regards British Central Africa, *i.e.*, the British Central Africa Protectorate and North-Eastern Rhodesia, the British and Transvaal Governments have prohibited the recruiting of natives for underground work on the gold mines, but agreed to the recruiting last year of 500 natives for work on the Premier Diamond Mine.
(2) As regards Portuguese territory north of latitude 22°, the Transvaal Government prohibits the recruiting of these natives during the winter, *i.e.*, from the beginning of March to the end of August, but allows recruiting in the remaining months of the year.
(3) As regards Southern Rhodesia, the Transvaal Government also prohibits recruiting during the winter, but raises no objection to recruiting during the summer. The administration of Southern Rhodesia, however, objects to recruiting at any time, on the ground that all the labour available is required for local purposes. Accordingly the regulations in force are such as practically to prevent recruiting for the Witwatersrand in Southern Rhodesia at any time.

For more than two years, it has been a matter of uncertainty whether, in view of the high rate of mortality among natives brought to work on the mines from all the above-mentioned areas, the Government would allow recruiting to continue in any or all of them, and if so, to what extent, and under what conditions. This uncertainty has naturally been an impediment to the extension of recruiting in semi-tropical territories. In spite of it, however, my Board has continued to maintain a staff in all the districts in question, so as to be able to carry on recruiting at such seasons, and to such extent as the Government might think proper to allow. But this expense is not one which can be continued indefinitely. My Board, therefore, venture to ask that they may be informed of the Government's future policy in the matter, in order that they may make their arrangements accordingly.

The definite points at issue appear to be as follows:—

(1) As regards British Central Africa and North-Eastern Rhodesia:

A. Is the Transvaal Government prepared to sanction recruiting from these territories, for underground work on the gold mines, and to negotiate with the Home Government to obtain the withdrawal of the prohibition which the Colonial Office has imposed, and can enforce through its control of the administration of those territories?

B. Is the Transvaal Government prepared to sanction the continuance of recruiting in these territories for work on the Premier Mine, and if so, under what conditions as to season of recruiting, number to be recruited, &c.? And if the answer is in the affirmative, will the Transvaal Government obtain the necessary consent of the Home Government?

An answer to these questions will enable my Board to decide on the course to be adopted. If recruiting is to be prohibited, it is naturally desirable to close down our present establishment in British Central Africa. If it is to be allowed for the Premier Mine only, my Board will then ascertain from that Company whether it is prepared to take over the recruiting arrangements there, or to make some agreement with this Association whereby they can be continued.

(2) As regards Portuguese territory north of latitude 22°:

Does the Transvaal Government propose to allow recruiting for the Witwatersrand from this territory to continue? If so, will recruiting be allowed during the whole year, or only during the summer months? A reply to this will enable arrangements to be made accordingly.

I may point out that the restriction of recruiting to the summer months only, necessarily lessens the scope of operations, because the expense of maintaining a large establishment, which would be idle for six months of the year, becomes prohibitive.

(3) As regards Southern Rhodesia:

Does the Transvaal Government agree to recruiting for the Witwatersrand from this territory: (a) during the whole year; (b) during the summer months only?

If the answer is in the affirmative, will the Transvaal Government negotiate with the Government of Rhodesia for the removal of the restrictions and charges which at present practically prevent recruiting?

I may mention that in case (3), the question of maintaining or abolishing an establishment does not at present arise, because in the past our operations in Southern Rhodesia have been conducted through the medium of the Rhodesian Native Labour Bureau. But in the other two cases, salaries have for some time been paid to officials and employés, and various maintenance expenses incurred, which could be reduced or abolished if recruiting is to be restricted or prohibited. For this reason my Board would be much obliged if you would convey to them at an early date the Government's decision on the points specified above.

I have, &c.,
C. W. Dix,
Secretary.

The Secretary for Native Affairs,
Pretoria.

Territorial Analysis of Mortality from Disease amongst Natives recruited from areas North of Latitude 22° and employed on Mines and Works in Proclaimed Labour Districts (exclusive of Natives employed by Contractors), for the period July 1904 to .

Territory.	Year.	July.			August.			September.			October.			November.			December.		
		E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.
Beira and Chinde	1904–5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905–6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906–7	65	—	—	63	—	—	52	1	230·8	69	—	—	85	—	—	97	—	—
British Central Africa	1904–5	739	5	81·2	518	5	115·8	693	6	103·9	1,029	12	139·9	1,386	10	86·6	1,594	14	105·4
	1905–6	2,368	34	172·3	2,349	57	291·2	2,315	30	155·5	2,469	22	106 9	2,900	45	186·2	3,049	64	251·9
	1906–7	1,801	11	73·3	1,691	13	92·3	1,603	4	29·9	1,527	11	86·4	1,253	8	76·6	961	2	25·0
German South-West Africa	1904–5	667	—	—	668	11	197·6	661	11	119·7	659	11	200·3	634	15	283·9	611	6	117·8
	1905–6	592	5	101·4	604	7	139·1	586	7	143·3	588	4	81·6	606	10	198·0	528	14	318·2
	1906–7	503	4	95·4	502	5	119·5	525	5	114·3	554	4	86·6	556	5	107·9	500	4	96·0
Mozambique	1904–5	1,407	21	179·1	1 370	17	148·9	1,538	20	156·0	1,428	10	84·0	1,416	29	245·8	1,641	21	153·
	1905–6	1,888	14	89·0	1,823	9	59·2	1,759	10	68·2	1,802	4	26·6	1,914	8	50·2	2,046	23	134·9
	1906–7	1,967	6	36·6	1,904	2	12·6	1,843	1	6·5	2,037	3	17·7	2,319	23	119·0	2,554	13	61·1
North-Eastern Rhodesia and Fort Jameson ...	1904–5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905–6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906–7	747	8	128·5	734	6	98·1	719	5	83·4	677	2	35·5	659	1	18·2	627	1	19·1
Nyassa	1904–5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905–6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906–7	221	4	217·2	221	3	162·9	211	—	—	215	—	—	271	—	—	349	1	34·4
Southern Rhodesia	1904–5	785	1	15·3	1,086	4	44·2	1,502	9	71·9	1,930	9	56·0	2,095	2	131·7	2,225	17	91·7
	1905–6	5,112	69	162·0	5,262	38	86·7	5,296	30	68·0	4,838	48	119·1	4,418	46	124·9	4,212	30	85·5
	1906–7	1,924	10	62·4	1,628	6	44·2	1,311	11	100·7	1,049	5	57·2	871	4	55·1	866	—	—
Zambesia, Quilimane, and Teti	1904–5	682	14	246·3	743	15	242·3	1,228	5	48·9	1,547	48	372·3	1,562	26	199·7	1,611	25	186·2
	1905–6	1,596	18	135·3	1,610	16	119·3	1,572	5	38·2	1,333	6	54·0	905	10	132·6	735	6	98·0
	1906–7	815	2	29·4	759	1	15·8	770	1	15·6	908	2	26·4	1,127	6	63·9	1,366	10	87·8

Territory.	Year.	January.			February.			March.			April.			May.			June.			Average.		
		E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.	E.	D.	Rate.
Beira and Chinde ...	1904-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905-6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906-7	105	1	114·3	102	1	117·6	99	—	—	102	—	—	—	—	—	—	—	—	84	3	35·7
British Central Africa	1904-5	1,576	13	99·0	1,652	19	138·0	1,780	13	87·6	2,117	14	79·4	2,138	26	145·9	2,333	36	185·2	1,463	173	118·3
	1905-6	2,805	32	136·9	2,607	32	147·3	2,573	34	158·6	2,466	24	116·8	2,295	28	146·4	2,180	19	104·6	2,531	421	166·3
	1906-7	713	1	16·8	559	5	107·3	653	3	55·1	789	3	45·6	—	—	—	—	—	—	1,155	61	52·8
German South-West Africa.	1904-5	609	7	137·9	610	4	78·7	604	3	59·6	596	2	40·3	588	5	102·0	583	5	102·9	624	80	128·2
	1905-6	456	4	105·3	482	4	99·6	505	1	23·8	498	1	24·1	493	1	24·3	497	3	72·4	536	61	113·8
	1906-7	456	2	52·6	466	3	77·3	432	2	55·6	424	1	28·3	—	—	—	—	—	—	492	35	71·1
Mozambique	1904-5	1,682	14	99·9	1,778	17	114·7	1,742	16	110·2	1,815	18	119·0	1,839	17	110·9	1,900	9	56·8	1,630	209	128·2
	1905-6	2,112	15	85·2	2,141	8	44·8	2,263	12	63·6	2,247	14	74·8	2,091	11	63·1	1,998	4	24·0	2,007	132	65·8
	1906-7	2,975	19	76·6	3,491	21	72·2	3,912	28	85·9	4,013	22	65·8	—	—	—	—	—	—	2,701	138	51·0
North-Eastern Rhodesia and Fort Jameson.	1904-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905-6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906-7	494	—	—	425	1	28·2	321	2	74·8	271	—	—	—	—	—	—	—	—	567	26	45·8
Nyassa	1904-5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1905-6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
	1906-7	377	2	63·6	533	3	67·5	723	12	199·2	736	13	212·0	—	—	—	—	—	—	386	38	98·4
Southern Rhodesia ...	1904-5	2,329	19	97·9	2,424	17	84·2	2,769	20	86·7	2,967	21	84·9	3,902	42	129·2	4,721	102	259·3	2,393	284	118·6
	1905-6	3,929	19	58·0	3,624	11	36·4	3,415	13	45·7	3,212	9	33·6	2,977	9	36·3	2,701	4	17·8	4,083	326	79·8
	1906-7	881	2	27·2	903	2	26·6	872	1	13·8	879	1	13·7	—	—	—	—	—	—	1,118	42	37·5
Zambesia, Quilimane, and Teti.	1904-5	1,717	21	146·8	1,698	16	113·1	1,812	18	119·2	1,705	18	126·7	1,607	15	112·0	1,580	18	136·7	1,458	239	163·9
	1905-6	780	6	92·3	746	2	32·2	776	3	46·4	864	1	13·9	844	2	28·4	814	—	—	1,018	75	71·6
	1906-7	1,926	18	112·1	2,148	25	139·7	2,121	24	135·8	2,103	19	108·4	—	—	—	—	—	—	1,404	108	76·8

E. = Average number of natives employed.
D. = Deaths from disease.
Rate = Mortality Rate per 1,000 per annum.

Total Average Mortality Rate, 1904-5 ... ... 130·1
" " " " 1905-6 ... ... 99·5
" " " " 1906-7 ... ... 57·0

Average number employed, 1904 7,568
" " " 1905 10,205
" " " 1906 7,907

No. 32.

THE HIGH COMMISSIONER FOR SOUTH AFRICA to THE SECRETARY OF STATE.

(Received August 3, 1907.)

[*Answered by No.* 35.]

MY LORD, High Commissioner's Office, Johannesburg, July 15, 1907.

WITH reference to previous correspondence, I have the honour to transmit to you a copy of further correspondence with the Resident Commissioner relative to the mortality amongst native labourers on the Southern Rhodesia mines, together with a copy of a despatch from the Acting Administrator in reply to my despatch of March 30th last.†

2. I will address your Lordship further on the matter when I have received a report from the Resident Commissioner for which I have asked.

I have, &c.,
SELBORNE,
High Commissioner.

SCHEDULE OF ENCLOSURES.

1. To Resident Commissioner. June 20, 1907.
2. Resident Commissioner, Telegram, No. 26. June 26, 1907.
3. Resident Commissioner. June 20, 1907.
4. Telegram to Resident Commissioner, No. 31. July 10, 1907.

Enclosure 1 in No. 32.

HIGH COMMISSIONER to RESIDENT COMMISSIONER, Salisbury.

SIR, High Commissioner's Office, Johannesburg, June 20, 1907.

WITH reference to my despatch of March 30th, and subsequent correspondence, I have the honour to request that you will draw the attention of the Acting Administrator to the fact that I am still awaiting a reply to the despatch which I addressed to Sir William Milton on March 30th on the subject of native mortality in the Southern Rhodesian mines.

2. I shall also be glad if you will furnish me with a full report on the matter at your earliest convenience.

I have, &c.,
SELBORNE,
High Commissioner.

The Resident Commissioner of
Southern Rhodesia,
Salisbury.

Enclosure 2 in No. 32.

RESIDENT COMMISSIONER, Salisbury, to HIGH COMMISSIONER.

TELEGRAM.

June 26, 1907. No. 26. Your Excellency's despatch, No. 65/3, of 20th instant, received to-day, has crossed mine of same date. I propose to take no action unless further instructed.

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† Not printed.

Enclosure 3 in No. 32.

RESIDENT COMMISSIONER, Salisbury, to HIGH COMMISSIONER.

MY LORD, Resident Commissioner's Office, Salisbury, June 20, 1907.

WITH reference to Your Excellency's despatch of the 30th March last, I have the honour to transmit a despatch of the 17th instant, addressed by the Acting Administrator under flying seal to Your Excellency, on the subject of the high rate of mortality amongst native miners in Southern Rhodesia.

I have, &c.,
R. CHESTER MASTER,
Resident Commissioner.

His Excellency
The High Commissioner
The Right Honourable
The Earl of Selborne, G.C.M.G.,
&c., &c., &c.,
Johannesburg.

MY LORD, Administrator's Office, Salisbury, June 17, 1907.

I HAVE the honour to acknowledge the receipt of Your Lordship's despatch, of the 30th March last, referring me to a letter of February 4th, 1907, addressed to the Chief Secretary by the Private Secretary to the Resident Commissioner, on the subject of the high rate of mortality amongst native mine labourers revealed by the return for the quarter ended September 30th last, and to the reply of the Chief Secretary of February 20th.

I have now the honour to attach, for your Lordship's information, copies of letters received from the following institutions, viz.:—The Rhodesia Native Labour Bureau; the Chamber of Mines, Salisbury; and the Rhodesia Chamber of Mines; in response to communications that were addressed to them on receipt of your Lordship's despatch.

These letters will, I think, show that the vital importance of taking all possible steps to secure the health of the natives is fully recognised by the Executives of the Chambers of Mines and the Bureau.

In justice to the present organisation for the recruiting of native labour I think it should be stated that the present Labour Bureau has only been in existence since July, 1906, and I trust that your Lordship will recognise that every effort has since been made by this body to remedy past defects which experience has brought to light.

With regard to the remarks contained in paragraphs 4, 6, 7, and 8 of your Lordship's despatch, I cannot do better than refer to the reply of the Manager of the Bureau, dated 22nd April, detailing the steps taken by the Bureau to ensure that natives recruited from the Northern Territories arrive at the Mines in a physically fit condition—paragraphs (*a*) to (*f*) and the following remarks:—

I am satisfied that the statements made by the Manager of the Labour Bureau are substantially correct, but though every care is taken of natives actually recruited by the Bureau, there are many instances, particularly in regard to natives from North-Eastern Rhodesia seeking employment here independently—where they arrive in an emaciated condition, due to having travelled long distances without food or blanket.

As a consequence of this the mortality amongst northern natives not recruited through the agency of the Bureau is undoubtedly high, but this cannot be ascribed to the lack of care or supervision on the part of the Bureau, and figures which include such natives, as stated by the Manager of the Bureau, do not represent the facts in regard to those natives for whom the Bureau is responsible.

The monthly returns of compound inspectors are closely examined and the attention of mine managers immediately drawn to excessive death-rate, want of hospital accommodation, sanitation, and other requisites necessary to the welfare of the native. Instructions have been issued that should the representations of the Government inspectors be ignored, the management should immediately be proceeded against under the regulations published under Government Notice No. 132 of 1905, Part V. (attached).*

I may also state that new forms of returns, copies of which are enclosed, have recently been published under the provisions of the Mines and Minerals Ordinance, making it incumbent on mine managers and others to render monthly returns giving detailed information in regard to labourers employed.

The Administrator, under the authority vested in him by Section 153 of the Mines and Minerals Ordinance, 1903, has full powers to deal with and ensure adequate supervision of the conditions under which natives are employed, and I am advised that further legislation at present does not appear to be necessary.

With reference to the reply from the Rhodesia Chamber of Mines, the remarks of that body in connection with the classification of natives have received attention, as the forms referred to in the earlier part of this despatch will show. It will be noted from the returns sent in by the Rhodesia Chamber of Mines that that Chamber is using every endeavour to combat the epidemic stage of pulmonary diseases.

The figures given in regard to the mortality from pulmonary diseases in Matabeleland during the winter quarter, viz., July to September, are certainly very serious, the Gwanda District being chiefly responsible for this very unsatisfactory state of affairs.

I have already drawn your Lordship's attention to the remarks of the Manager of the Bureau in regard to the emaciated state in which natives coming down from the north independently arrive, which is clearly borne out by the statements contained in paragraph 5 of the letter from the Rhodesia Chamber of Mines.

Representations have, it will be noted, been made to the authorities of both Northern Territories, but notwithstanding this, natives continue to arrive from the north independently, and it is in a great measure due to this fact that pulmonary diseases are so rife amongst them.

In regard to the remarks of the Rhodesia Chamber of Mines in connection with the inadequacy of the medical attendance and of hospital accommodation on some of the mines, the Chamber would appear to a certain extent to assume that the responsibility for the lack of proper medical attendance rests with the Government, as is instanced by their assumption that the District Surgeon of Gwanda is responsible for the whole district. This, of course, is not the case, and I am informing the Executive of the Chamber that the District Surgeon is in the first instance a Government servant and has nothing to do with the care of natives on any private mines unless employed by the management as a private practitioner.

The remarks contained in paragraphs 8 to 13 of the Chamber's letter deal fully with the points raised in paragraph 11 of your Lordship's despatch in regard to the prevalence of scurvy and change of diet, and in particular in reference to the Globe and Phoenix Mine.

I am not prepared to discuss the figures given by the Chamber in those paragraphs, beyond saying that they do not, in some respects, agree with the returns which are rendered monthly to the Government by compound inspectors, but I can endorse their remarks in regard to the attention which is being paid to outbreaks of scurvy and change of diet. I may state in regard to the latter point that on representations made by me to the Rhodesia Chamber, a Committee was appointed by them to enquire into the whole subject and to consider certain recommendations submitted by the Medical Director, and I am glad to be able to inform your Lordship that the Chamber have, to a great extent, adopted these recommendations, and have issued a circular to all mines advising the adoption of a more varied diet, a copy of which I attach.

I would invite your Lordship's attention to paragraph 15 of the Chamber's letter in regard to the abhorrence of natives to enter hospital and to be treated for their ailments by "white man's" medicine.

With regard to the remarks contained in paragraphs 19 and 20 of this letter, while I am not prepared to agree wholly with what is there stated, I cannot help feeling that there is a very great deal in the contention of the Chamber.

With reference to paragraph 13 of your Lordship's despatch, I enclose statements specifying the diseases from which natives died on the mines during the quarter ended 31st December last. From these statements it will be seen that pneumonia, scurvy, and dysentery accounted for a large proportion of the mortality, and that the majority of deaths occurred at the Globe and Phoenix, the East Gwanda, and the Sabiwa. As regards the Globe and Phoenix I may say that the management and the hospital accommodation at this mine are in every way satisfactory and the latter is in the special charge of a medical practitioner employed by the mine.

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* Not reprinted.

Owing to the exceptionally high death-rate on the East Gwanda and Sabiwa Mines, a special investigation was made, which disclosed the fact that the diseases had occurred chiefly amongst the first gangs of natives recruited for these mines in Northern Rhodesia. Steps were at once taken to compel the mine managers to make special efforts to protect these natives and prevent a recurrence of disease amongst them.

That the management of these mines is now more effectively coping with the conditions is shown by the fact that the death-rate has been steadily decreasing, the decrease for the quarter ended 31st March, 1907, being most marked.

A decrease in the mortality generally will be noticed for the quarter ended 31st December as compared with the previous quarter, and the returns for the quarter ended 31st March last show a still further decrease in the rate.

I am convinced that the Executive of the various Mining Institutions and also the mine managers are fully alive to the absolute necessity of paying especial attention to the care of alien natives, and though it is to be feared that the death-rate amongst northern natives—who prefer to seek work independently and not through the Bureau—may still exceed the normal rate, I look forward to a progressive improvement in the conditions.

From the enclosed copy of Government Notice No. 77 of 1907,* it will be seen that an Inspector of Mines for Southern Rhodesia has been appointed in terms of the "Mines and Minerals Ordinance, 1903." The duties and powers of such an officer are detailed in Section 137 of the Ordinance, which provides for the inspection of mining locations by a duly authorised official. The Inspector's attention will, however, be chiefly directed towards seeing that the rules and regulations which have been issued under the Ordinance by Government Notices are being observed and generally that proper precautions are adopted to secure the safety of miners.

The inspection of native compounds and hospitals on mines will continue to be performed by officers of the Native Department.

I have, &c.,
THOMAS C. SCANLEN,
Acting Administrator.

His Excellency
The High Commissioner,
Johannesburg.

The Rhodesian Native Labour Bureau,
P.O. Box 152, Bulawayo, April 22, 1907.

SIR,

I HAVE the honour to acknowledge receipt of your letter of the 13th instant embodying extract from a despatch received by His Honour the Administrator from His Excellency the High Commissioner.

The Bureau in the first place wish to bring to the notice of His Honour the Administrator that the period dealt with by His Excellency is prior to the time when the Bureau, as at present constituted, commenced operations. Further, that the old Bureau did not carry on recruiting operations in Northern Territories.

The Bureau wish to assure His Excellency that every care is taken for the well-being of natives recruited by the Bureau in the Northern Territories, and especially to refute the statement that natives recruited by the Bureau in North-Eastern Rhodesia are not supplied with blankets, and to state emphatically that all natives recruited by them in that territory have been and are supplied with blankets when contracted, either at Fort Jameson or Kasama and before commencing their journey south. A misunderstanding on this point may possibly have arisen owing to a report made by the Compound Inspector for the Gwelo District in January last which reads as follows:—

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* Not reprinted.

> "I wish to call attention to the state of destitution that many natives arrive at the mines. Many of them are without blankets and are so weak that they are unfit for work. This refers to those who come chiefly from the north of the Zambesi. Some of these natives have come down themselves and others been recruited by the Labour Bureau.
>
> "Natives who come without blankets do not, in many cases, wish to purchase them, but prefer to use an old sack or two, which they pick up about the mines. The consequence is that these natives come out of the hot mine into the cool air above and catch pneumonia.
>
> "I understand that the Labour Bureau has, in many cases, supplied blankets, but I am unable to say if it has done so in all cases or if the natives who arrive without blankets have come down of their own accord.
>
> "With regard to the starved condition some of these natives arrive in, cannot steps be taken to prevent it as much as possible?"

I give below the reply addressed to the Chief Native Commissioner of Matabeleland and dated 11th February, 1907, in connection therewith:—

> "Blankets.—All natives recruited in North-Eastern Rhodesia by the Bureau are supplied with blankets. Natives recruited in North-Western Rhodesia are, as far as possible, induced to take blankets, and I find, on looking into the figures, that about 80 per cent. of them do so. The Bureau will make efforts, through the North-Western Rhodesia Government, to induce every native to take a blanket.
>
> "Food.—All natives recruited by the Bureau are supplied with food of the standard quantity and quality. I think it will be found that if any natives recruited through the Bureau have arrived in the starved condition complained of, that they have been recruited at Feira by our agent there, after having come long distances from places in North-Eastern Rhodesia, and not through the Bureau's agent. These boys are offered blankets by our agent at Feira and, in many cases, take them. They are also, of course, supplied with the standard quantity and quality of food for the remainder of the journey from Feira to the mines they go to work on.
>
> "These natives so recruited by our agents, unless supplied with food, and, when they require it, blankets, go down all the way to the mines by themselves and arrive even in worse condition than they do to-day.
>
> "The Bureau are quite aware of the condition in which many northern natives, who do not come through that organisation, arrive at the mines, and it would undoubtedly be better for the natives and all concerned if all natives from the Northern Territories came through the Bureau."

I may add in connection with the above letter that at the instance of the Bureau, the North-Western Rhodesia Government now insist on all natives taking blankets.

With regard to the question of burns on natives' bodies, I may say that the Bureau are informed by some of our officials who have travelled in North-Eastern Rhodesia that natives, even in their own country and when they have blankets, frequently get burnt owing to sleeping too close to their fires.

I have the honour to furnish in detail the steps taken by the Bureau for the purpose of endeavouring to ensure that natives arrive at the mines in a physically fit condition:—

(*a*) All natives recruited in Northern Territories by the Bureau are medically examined before leaving Fort Jameson, Kalomo, or Livingstone, or wherever they start from on their actual journey south.

The instructions given to the medical officers are that the examination must be strict, not only with regard to the native's present state of health, but also with a view to his physical fitness to work on the mines. That the examination is severe is borne out by the fact that as many as 25 per cent. out of some of the batches of natives recruited in North-Eastern Rhodesia have been rejected.

(*b*) Blankets are issued to all natives recruited by the Bureau in North-Eastern and North-Western Rhodesia. It has also been arranged that jerseys be issued to all North-Eastern natives recruited by that organisation.

All natives are supplied with ample food of standard quality for the journey, whether they are proceeding by rail or road. In the latter case they are issued food at depôts on the road.

(*c*) The condition of natives on arrival and before proceeding to the mines is carefully examined by a responsible official of the Bureau, and, if the slightest doubt as to their fitness for work is felt, a further medical examination is made, on which, should it prove unsatisfactory, the native is at once medically treated, or, if the Medical Officer considers more advisable, returned to his home.

(*d*) Every gang of natives is accompanied by a responsible messenger from the point of recruitment to the Bureau depôt and from there on to the mines. Rest houses are also provided en route.

(*e*) Repatriation has been arranged for all natives recruited in North-Western or North-Eastern Rhodesia.

(*f*) Care is being taken in all cases that the native receives at least the minimum wage he contracts for, and returns are called for and received from the Native Department from time to time to ensure this.

In cases of short or non-payment of wages, the proper officials are communicated with and steps taken through them to take proceedings against the offending party. In the meanwhile no further labour is supplied to the offending party until the matter has been dealt with satisfactorily.

A Committee of the Bureau has been going carefully into the question of the diet of natives and their recommendations have been forwarded to the mines.

The Bureau would respectfully submit to His Honour the Administrator that as long as natives from the Northern Territories, and especially North-Eastern Rhodesia come into Southern Rhodesia without medical examination and voluntarily arrive in this territory after travelling long distances without enough food or proper supervision, that any figures as to the death-rate among northern natives are rendered unreliable for the purpose of ascertaining the normal death-rate of natives recruited under proper supervision.

The position with regard to these voluntary natives is most difficult as, if the mines refuse to engage them, they have to wander elsewhere in search of work, and, if they were not eventually engaged, they would have no option but to work for the natives of the country or starve.

It is well known that the death-rate among natives such as these is abnormally high, especially during the first period of their engagement, and whilst suffering from the hardships they have undergone.

In conclusion I may assure His Honour that the Bureau are endeavouring, by every means in their power, to deliver natives on the mines in a physically fit condition, and the general welfare of the natives while under their control is in every case carefully studied, and that no trouble or cost is being spared to ensure this.

The Bureau have no figures to go on in support of the statement that the death-rate rules highest among natives recruited in the Northern Territories, but have no reason to suppose that it is so among natives recruited by the Bureau. The organization as at present constituted is now keeping careful records with regard to deaths among natives recruited by it.

The Bureau have fully considered the question of native labour from every point, and apart from the question of humanity, which they fully recognise, from the business point of view are fully cognizant of the necessity of taking every possible precaution to ensure the well-being of the native.

I have, &c.,
W. B. Bucknall.

The Chief Secretary,
Salisbury.

Sir, The Chamber of Mines, Salisbury, April 25, 1907.

I have to acknowledge receipt of your letter of the 12th instant, on the subject of the death-rate amongst natives employed on mines in Southern Rhodesia, which has been strongly commented upon by His Excellency the High Commissioner. I am desired by my Chamber to thank you for the information contained in the extracts from His Excellency's despatches.

I am instructed to reply that this Chamber has given His Excellency's remarks the most careful attention.

The Chamber is fully alive to the necessity of improving the conditions under which natives work at the mines.

This matter has been the subject of investigation by the Chambers of Mines and the Native Labour Bureau for some time past.

The Chamber will press for definite conclusions to be arrived at, which will be communicated to you, with any further remarks which the Chamber may have to make.

I have, &c.,
EDW. COXWELL,
Secretary.

The Chief Secretary,
Salisbury.

(749/07.)

SIR, Rhodesia Chamber of Mines, Bulawayo, May 1, 1907.

I HAVE the honour to refer to your letters, Nos. G. 243/449, of 12th ultimo, and G. 263/476, of 24th ultimo.

(1) In dealing with the remarks made by His Excellency the High Commissioner on the health conditions and mortality of natives on the mines of Matabeleland and Mashonaland, my executive desire to draw attention to the fact that there is a regrettable lack of reliable statistics on the subject, especially in regard to Mashonaland, from which province my Executive has so far been unable to obtain any even approximate classification of natives employed on the mines. They also desire to record their opinion that the reports made by Inspectors of Native Compounds should be immediately communicated to the managers of the mines to which such reports apply.

(2) In a letter to the Chamber, dated 12th April, 1907, you subjoined, for the information of the Chamber, and for favour of remarks thereon, extracts from a despatch from His Excellency the High Commissioner, No. 65/3, of 30th March.

(3) The mortality of natives from pulmonary diseases during the winter months has always received the close attention of mine managers in Southern Rhodesia, and no effort has been spared to combat the epidemic stage which this disease reaches on large mines when once it has started. A close examination of the returns has been made, and it is found that these diseases are most prevalent in districts where the larger mines are chiefly situated, and that the death-rate therefrom in districts where the smaller mines are more common is considerably lower.

(4) The mortality from pulmonary diseases in Matabeleland has been as follows during the past three years during the winter quarters July to September:—

1904-5	19·19
1905-6	32·39
1906-7	45·22

The increased rate in 1906-7 has, in the main, been due to an outbreak in the Gwanda District, in which district alone 66 deaths, or 49·2 per cent. of the total, occurred. Exclusive of the Gwanda District, 68 deaths from pulmonary diseases occurred during the quarter, being at the rate of 22·3 per thousand per annum, or 10·3 per thousand per annum less than the mortality from this cause during the winter quarter ended 30th September, 1905.

(5) The weak and emaciated state in which natives from the north of the Zambesi arrive on the mines, having travelled without supervision on foot, and for the most part lacking in food and clothing, has already been the subject of strong representation to the Administrations of North-Eastern and North-Western Rhodesia, through the Rhodesian Native Labour Bureau, who, the Chamber submits,

are able to prove that numbers of the men coming down of their own accord to work in the Southern Rhodesia mines are seldom in a fit condition either to travel or to work on arrival. Every endeavour is being made to encourage these natives to come through the Bureau, who have arranged rest houses, food, and clothing on the north-eastern route.

(6) The remarks of His Excellency do not, under existing circumstances, apply to North-Western Rhodesia natives recruited by the Bureau, the arrangements for whose transport by rail to the mines of Southern Rhodesia, after a rigid medical inspection, are under the direct control of the Secretary for Native Affairs of North-West Rhodesia.

(7) The inadequacy of the medical attendance and of hospital accommodation on some of the mines is referred to. Careful enquiry shows that this appears to direct attention more especially to the Gwanda District, where the necessity for further medical assistance is commented on in the report made by the Inspector of Native Compounds, on the Sabiwa Mine. At present my Executive understand that the District Surgeon has medical charge of Europeans and natives, approximately 4,000, and that his patients are scattered over a route abounding in large mines, 33 to 38 miles in length.

The Executive Committee think that the Inspectors of Native Compounds will bear them out in saying that as a rule the suggestions made by those officials for the betterment of the native labourer, whether in regard to medical attention, hospital, or compound accommodation, are adopted by the managers of mines with the utmost willingness.

(8) The remarks of His Excellency on the unsatisfactory nature of the diet at the Globe and Phœnix Mine, were brought to the notice of the mine authorities. The reply of the Company states that the following diet is issued to boys employed by them:—

Mealie meal, nyout meal, Kaffir corn meal, rapoka meal.
Meat bi-weekly; monkey nuts and salt daily.
Potatoes, pumpkins, beans, and other vegetables when obtainable and recommended by the Medical Officer.

At this mine there is a Resident Medical Officer, who reports that patients in the native hospital get the following diet:—

Liquid: Milk two pints, beef-tea one pint when necessary, eggs and coffee, French brandy, and dop.
Low: Mealie meal porridge, potatoes or pumpkins, beans, soup, and baker's bread.
Full: The same as low, with the addition of half a pound of meat daily.

The mortality on this mine is 24·76 per thousand per annum.

(9) His Excellency notes that the death-rate rules highest among the natives recruited in the Northern Territories, and that these natives supply by far the greater portion of the labour employed on the mines of both provinces. My Executive regret that they have not the figures which His Excellency appears to have been in possession of, giving a territorial analysis of the deaths recorded. They have, however, prepared a territorial analysis of natives employed on the mines of Matabeleland for the three quarters ended respectively 30th September, 1906, 31st December, 1906, and 30th March, 1907, and find that His Excellency's statement that the northern districts supply by far the larger proportion of natives employed on the mines of this territory, at any rate, is not borne out by facts. The actual proportions shown in the territorial analysis (Schedule C) are as follows:—

Quarter ended.	Local.	Portuguese Territory.	North of Zambesi.	Other Sources.
	Per cent.	Per cent.	Per cent.	Per cent.
30th September, 1906	39·44	25·44	26·97	8·15
31st December, 1906	34·78	27·13	30·61	7·48
31st March, 1907	30·93	25·33	37·92	5·82

The death-rates during the same quarters were as follows:—

Quarter ended.	Total.	Per thousand per annum.	
		From Disease.	From Accident.
	Per cent.	Per cent.	Per cent.
30th September, 1906	75·25	70·23	5·02
31st December, 1906	112·52	79·43	33·09
30th March, 1907 ...	57·93	47·99	9·94

It may readily be seen from the above that when the proportion of Northern Zambesi boys to the total employed was highest (37·92 per cent. in quarter ended March 31st, 1907), the death-rate from disease was lowest (47·99 per 1,000 per annum).

(11) With regard to scurvy, my Executive have to point out the large proportion of the total deaths from this disease which occurred in the Gwanda District. The following are the figures for the periods:—

Quarter ended.	Deaths from Scurvy per 1,000 per annum.	
	Whole Matabeleland.	Gwanda
	Per cent.	Per cent.
30th September, 1906 ...	3·37	8·41
31st December, 1906 ...	19·10	48·23
31st, March, 1907	9·9	34·52

Exclusive of the Gwanda District the mortality per 1,000 per annum from scurvy has not been abnormal during the nine months ended 31st March last. Twenty-nine, or 31·86 per cent. of the total deaths from scurvy, occurred in the districts of Bulawayo, Selukwe, Belingwe, Gwelo, and Wankie, giving a death-rate from this cause for the nine months of 4·35 per 1,000 per annum as compared with 3·49 per 1,000 in 1904-5, and 8·60 per 1,000 in 1905-6 for the whole country (*vide* Chief Native Commissioner's Report, Matabeleland, 1905-6, page 15).

My Executive desire to assure the Administration that they have always been alive to the danger of scurvy, which Doctor Loir, an eminent bacteriologist from the Pasteur Institute, found was particularly prevalent in the District of Gwanda. They feel convinced, however, that the disease is, in the main, due to uncleanly feeding on the part of natives, who, arriving at a mine fresh from a kraal, spend the major portion of their earnings on tinned foods, which Doctor Loir points out, they often do not consume immediately the tins are opened. They are further convinced that only time and experience can thoroughly eradicate the disease. Doctor Loir estimated that on most mines at the time of his report (1902) probably not less than 35 per cent. of the labourers were infected with it, and it goes without saying that the mortality would be very much greater than it is at the present day had not measures been taken to combat with the disease in the past few years.

That those in control of the mining industry are alive to the necessity for careful supervision of the diet of mine labourers is evidenced by the fact that a commission, appointed at the instance of the Administration, recently went fully into the question, and the report is now receiving the close attention of the Chamber of Mines.

(13) His Excellency states that he does not know if effect was given to the recommendations made by the Inspector of Native Compounds when visiting the Globe and Phœnix Compound in September, 1906. The Executive would point out that no recommendation was made by the Inspector of Native Compounds so far as they can trace. He merely stated that "efforts were being made to reduce this death-rate by giving change of diet, isolating scurvy patients, of whom there

is a large number, and by destruction of infected huts." This immediately follows a report that most of the deaths occurred amongst newly-arrived natives from the north of the Zambesi, "some of whom reached the mine in a weak and emaciated condition," and points to the fact that the latter, having come down without medical examination, arrived on the mine with the seeds of the disease already sown.

(14) Application to the Native Department has failed to elicit any specified complaints with regard to the treatment of sick natives. On the contrary, my Executive is assured that the recommendations of the Inspectors have, in the majority of cases, been readily met by the erection of special hospital huts and the appointment of orderlies whose sole duty it is to look after sick natives under the direction of the District Surgeon, while all small mines keep a stock of drugs and first-aid materials, which are periodically inspected by the Inspectors of Native Compounds.

(15) All authorities agree that the abhorrence of natives to entering hospital, and to be treated for their ailments by white man's medicine, is a superstitious trait in their characters which is gradually being eradicated, and special efforts are made to enforce boys to remain there. My Eexcutive feel sure that every humane effort is made by the mine authorities to induce natives to enter the hospitals provided for them, and the special report of the Native Commissioner of Gwanda on the health conditions at the Sabiwa Mine evidences the fact that a native will run any foolish risk in his ignorance of the benefits of being skillfully attended medically, in order to escape the imaginary ordeal of going into hospital.

(16) It only remains for my Executive to point out that, exclusive of the Gwanda District (which, during the nine months ended 31st March, 1907, accounted for 391 out of 698 deaths from all causes), the mortality for the whole of Matabeleland amounted to only 46·84 per 1,000 per annum, which shows only a small increase of 1·13 per thousand per annum as compared with the mortality for the whole country for the year ended 31st March, 1906.

(17) In view of the special report of the Inspector of Native Compounds on the Sabiwa Mine, and the remarks made therein as to the inadequacy of the medical staff in the Gwanda District, my Executive, while willing to do all in their power to bring about a decrease in the death-rate noted above, is not prepared, on the facts before them, to admit that any abnormity would have been apparent, had it not been for the Gwanda District. They submit that, on the whole, conditions of mine labour in Southern Rhodesia have in every direction improved vastly during the past few years, and that only close attention to local conditions can effect any appreciable reduction in certain localities where the mortality is admittedly abnormal. As has already been pointed out the death-rate in the Gwanda District was excessive on account of a peculiarly unfortunate series of circumstances combined with accidents. These are, my Executive feel certain, unlikely to recur.

(18) In conclusion, my Committee desire to express their regret that the figures furnished to His Excellency by the Resident Commissioner in regard to the estimated mortality in Mashonaland were incorrect. The mortality return attached to His Honour's letter, dated 14th February last, gives as the average number of boys on the mines during the quarter ended 31st December, 1906 8,103

The return of labour fees paid shows a daily average actually working per month during the same three months of	7,426
Add 25 per cent., a low but reasonable estimate, for boys on the mines not working, and for the large number of small mines not paying labour fees	1,856
	9,282

The total number of deaths in the quarter was 155, which, on the basis of 9,282 boys employed, gives a mortality of 66·7 per thousand per annum as against 77·49 per thousand per annum shown in the return referred to.

(19) My Committee desire further to record their opinion that the present method of calculating the death-rate is liable to lead to erroneous conclusions as to what the mortality really amounts to, as it is well known that the average period of services of boys on the mines of Southern Rhodesia is from two to three months per annum; and also that the majority of natives, as already stated, die during the first few months' service.

These facts, in view of most of the mine labourers on the Witwatersrand Mines being contracted for 12 months' service, prohibit any comparison being made between the mortality on mines in that District, and that in Southern Rhodesia.

(20) This leads them to the further point, which is deserving of the most careful attention, viz., that while by far the greater proportion of the labour in Southern Rhodesia finds its own way down to the mines, the supply of practically the whole of the Witwatersrand is derived from the Witwatersrand Native Labour Association, and undergoes a medical examination and detention in hospital pending fitness to proceed to work.

In Southern Rhodesia it is quite a common occurrence for a gang of boys to arrive at a mine, a large percentage of whom are compelled to undergo a course of medical treatment at once.

Some of them die, and their deaths are improperly attributed to insanitary and imperfect conditions at that mine. It is hoped that in time the possibility of such occurrences will be minimised by the wider control over mine recruits which will be exercised by the Rhodesian Native Labour Bureau.

(21) Generally, my Executive desire to lay stress on the facts that the report on diet above referred to, the importance of which is fully realised, is being widely circulated amongst mine owners, and that there is already evident a satisfactory decrease in the mortality of the Gwanda District, to which reference is continually made above. They further emphasize the fact that they do not consider the mortality returns at the present day can fairly be compared with those of 1904-5, as at that time there was no efficient system of death registration in force. So far as my Committee is aware, such registration has only been lately introduced.

W. W. Jenkins,
Secretary.

The Chief Secretary,
Salisbury.

"A."—MORTALITY OF NATIVES ON THE MINES OF MATABELELAND for the Nine Months ended 31st March, 1907.

	Selukwe District.			Bulawayo District, including Bembesi, Belingwe and Filabusi.			Gwanda District.			Gwelo District.			Wankie District.			Total.		
	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.	Total Natives Employed.	Total Deaths.	Mortality per 1,000 per annum.
1906.																		
July	2,065	5	28·9	4,034	7	20·8	3,257	39	143·7	2,778	9	35·2	335	2	71·6	12,469	62	59·6
August	1,924	6	37·3	3,799	5	15·8	2,829	46	195·1	2,912	17	70·0	329	5	185·4	11,793	79	80·4
September	1,873	5	32·0	3,653	13	42·7	2,467	31	150·8	2,946	31	125·5	339	2	70·8	11,296	82	87·1
October	2,016	9	53·5	3,435	10	34·9	2,384	38	191·2	2,580	19	88·3	356	1	33·7	10,771	77	85·7
November	1,925	13	81·0	3,342	9	32·3	2,954	35	142·1	2,440	19	93·4	365	—	—	11,026	76	82·7
December	2,048	11	64·4	3,146	12	45·7	2,873	112	467·8	2,408	17	84·7	370	1	32·4	10,845	153	169·2
1907.																		
January	2,104	9	51·3	3,559	7	23·6	2,654	60	271·2	2,593	8	33·1	370	4	129·7	11,280	88	92·7
February	2,042	11	64·6	3·749	8	25·6	2,589	18	83·4	2,711	8	35·4	395	1	30·3	11,486	46	48·0
March	2,282	4	21·0	3,875	10	30·9	2,745	12	52·1	3,057	7	27·4	395	2	60·7	12,354	35	34·0
Totals and averages, nine months.	2,031	73	47·76	3,621	81	29·82	2,751	391	194·51	25,715	135	66·29	361	18	66·48	11,480	698	81·01

Analysis of Returns of Inspectors of Native Compounds.

For Rhodesia Chamber of Mines (Incorporated),
W. W. JENKINS,
Secretary.

Bulawayo,
23rd April, 1907.

"B."—MORTALITY OF NATIVES ON THE MINES OF MATABELELAND.

Analysis of causes of deaths—classified in districts—during quarters ended 30th September and 31st December, 1906, and 31st March, 1907.

District and Period.	Total.			Pulmonary.		Scurvy.		Malaria.		Dysentery.		Other Diseases.		Accidents.		——
	No. of Deaths.	Per-centage of Total Deaths.	Mortality per 1,000 per annum.	No. of Deaths.	Mortality per per 1,000 annum.	No. of Deaths.	Mortality per 1,000 per annum.	No. of Deaths.	Mortality per 1,000 per annum.	No. of Deaths.	Mortality per 1,000 per annum.	No. of Deaths.	Mortality per 1,000 per annum.	No. of Deaths.	Mortality per 1,000 per annum.	
Quarter ended 30th September, 1906—																
Selukwe	16	7·18	32·75	12	24·56	—	—	—	—	—	—	3	6·14	1	2·05	
Bulawayo	20	8·96	23·63	8	9·45	1	1·18	1	1·18	2	2·36	3	3·54	5	5·92	These two divisions are included in Return A under the head of Bulawayo, and comprise Bulawayo, Bembesi, Filabusi, Bubi, and Belingwe.
Belingwe	5	2·25	45·06	5	45·06	—	—	—	—	—	—	—	—	—	—	
Gwanda	116	52·01	162·75	66	92·59	6	8·41	8	11·22	27	37·92	6	8·41	3	4·20	
Gwelo	57	25·56	79·22	38	52·81	3	4·17	—	—	3	4·17	7	9·73	6	8·34	
Wankie	9	4·04	107·78	5	59·88	—	—	—	—	4	47·90	—	—	—	—	
Quarter ended 31st December, 1906—																
Selukwe	33	10·90	79·25	21	50·51	2	4·81	—	—	2	4·81	4	9·61	4	9·61	
Bulawayo	22	7·20	30·95	8	11·25	3	4·23	1	1·42	2	2·81	6	8·43	2	2·81	
Belingwe	9	2·90	77·58	4	34·48	—	—	—	—	—	—	2	17·24	3	25·36	
Gwanda	185*	60·46	270·36	37	54·07	33	48·23	13	18·99	17	24·85	8	11·68	77*	112·51	*Valley accident.
Gwelo	55	18·00	88·89	25	40·38	14	22·61	—	—	—	—	12	19·38	4	6·46	
Wankie	2	·60	22·03	2	22·03	—	—	—	—	—	—	—	—	—	—	
Quarter ended 31st March, 1907—																
Selukwe	24	14·20	44·81	16	29·88	—	—	—	—	1	1·88	6	11·17	1	1·88	
Bulawayo	21	12·42	26·28	5	6·69	—	—	—	—	3	3·61	7	8·76	6	7·22	
Belingwe	4	2·37	30·12	1	7·53	1	7·53	2	15·06	—	—	—	—	—	—	
Gwanda	90†	53·25	135·03	16	24·01	23	34·52	10	15·06	17	25·5	6	9·00	18*	27·00	†Sabiwa accident.
Gwelo	23	13·62	33·01	10	14·35	5	7·18	—	—	—	—	4	5·74	4	5·74	
Wankie	7	4·14	72·53	4	41·44	—	—	—	—	1	10·36	2	20·73	—	—	

For Rhodesia Chamber of Mines (Incorporated),
W. W. JENKINS, Secretary.

"C."—TERRITORIAL ANALYSIS OF NATIVES EMPLOYED ON THE MINES OF MATABELELAND, showing proportion per cent. of Boys from each Territory and Nett Mortality per 1,000 per annum.

District.	Total.		Local.		Portuguese Territory.		North of Zambesi.		Other Sources.		Nett Mortality per 1,000 per annum.
	Average No. Employed per Month.	Per cent. of Total.	Average No. Employed per Month.	Per cent. of Total.	Average No. Employed per Month.	Per cent. of Total.	Average No. Employed per Month.	Per cent. of Total.	Average No. Employed per Month.	Per cent. of Total.	
Quarter ended 30th September, 1906—											
Selukwe	1,954	16·48	574	29·37	889	45·49	371	18·98	120	6·16	32·75
Bulawayo	3,386	28·56	1,670	49·33	792	23·39	739	21·82	185	5·46	23·63
Belingwe	445	3·76	191	42·92	53	11·92	24	5·39	177	39·77	45·06
Gwanda	2,849	24·03	1,135	39·84	439	15·41	892	31·31	383	13·44	162·75
Gwelo	2,888	24·37	1,088	37·67	741	25·66	996	34·49	63	2·18	79·22
Wankie	331	2·80	17	5.14	101	30·51	175	52·87	38	11·48	107·78
	11,853	100·00	4,675	39·44	3,015	25·44	3,197	26·97	966	8·15	75·25
Quarter ended 31st December, 1906—											
Selukwe	1,996	18·35	453	22·70	968	48·50	459	22·99	116	5·81	79·25
Bulawayo	2,844	26·15	1,156	40·64	720	25·31	805	28·31	163	5·74	30·95
Belingwe	464	4·25	210	45·23	95	20·47	37	8·00	122	26·30	77·58
Gwanda	2,736	25·15	1,177	43·02	335	12·24	904	33·04	320	11·70	270·36
Gwelo	2,475	22·75	755	30·50	762	30·78	874	35·33	84	3·39	88·89
Wankie	363	3·35	32	8·82	71	19·56	251	69·14	9	2·48	22·03
	10,878	100·00	3,783	34·78	2,951	27·13	3,330	30·61	814	7·48	112·52
Quarter ended 31st March, 1907—											
Selukwe	2,142	18·30	580	27·08	905	42·25	532	24·83	125	5·84	44·81
Bulawayo	3,196	27·32	1,247	39·00	778	24·34	1,079	33·76	92	2·90	26·28
Belingwe	531	4·53	176	33·14	144	27·12	93	17·52	118	22·22	30·12
Gwanda	2,662	22·75	815	30·62	350	13·15	1,251	47·00	246	9·23	135·03
Gwelo	2,786	23·81	777	27·88	723	25·95	1,204	43·22	82	2·95	33·01
Wankie	385	3·29	25	6·50	65	16·87	279	72·47	16	4·16	72·53
	11,702	100·00	3,620	30·93	2,965	25·33	4,438	37·92	679	5·82	57·93

For Rhodesia Chamber of Mines (Incorporated),
W. W. JENKINS, Secretary.

ANALYSIS OF QUARTERLY MORTALITY RETURNS FOR THE QUARTER ENDING 31ST DECEMBER, 1906.

Disease.	Mazoe.			Lomagundi.			Hartley.			Umtali.		
Pneumonia	2	—	2	12	4	8	14	10	5	2	2	2
Dysentery	1	1	1	1	—	—	6	2	—	—	—	1
Consumption	1	—	—	—	—	—	—	—	—	—	—	—
Accidents	—	—	—	1	5	3	—	2	2	4	2	—
Scurvy	—	—	—	1	1	—	6	3	5	—	—	—
Leprosy	—	—	—	1	—	—	—	—	—	—	—	—
Cardiac failure	—	—	—	1	—	—	—	—	—	—	4	—
Inanition	—	—	—	1	—	1	—	—	—	—	—	—
Natural causes...	—	—	—	3	—	3	—	—	—	—	—	—
Exposure	—	—	—	—	—	—	1	—	—	—	—	—
Consumption	—	—	—	—	—	1	1	1	—	—	—	—
Meningitis	—	—	—	—	—	—	1	—	—	—	—	—
Debility	—	—	—	—	3	—	—	—	—	—	—	—
Diarrhœa	—	—	—	—	—	—	—	1	—	—	—	—
Chest complaints	—	—	—	—	—	—	—	1	—	—	—	—
Hæmorrhage	—	—	—	—	—	—	—	1	—	—	—	—
Acute rheumatism	—	—	—	—	—	—	—	—	1	—	—	1
Pulmonary tuberculosis ...	—	—	—	—	—	—	—	—	1	—	—	1
Unknown	—	—	—	2*	2*	—	—	4	—	—	—	—
Murder...	—	—	—	—	—	—	—	—	1	—	—	—
Malaria...	—	—	—	—	—	—	—	—	—	4	—	—
Phthisis	—	—	—	—	—	—	—	—	—	—	3	1
Total	4	1	3	23	15	16	29	25	15	10	11	6
	8			54			69			27		

* NOTE.—These do not belong to the Mines.

Disease causing Death.	Division I. (Selukwe.)			Division II. (Gwanda.)			Division III. (Bulawayo.)			Division IV. (Gwelo.)			Division V. (Belingwe.)			Wankies.			—
	Oct.	Nov.	Dec.	Oct.	Nov.	Dec.	Oct.	Nov.	Dec.	Oct.	Nov.	Dec.	Oct.	Nov.	Dec.	Oct.	Nov.	Dec.	
Accident	—	—	4	—	1	75	1	1	—	1	3	—	2	—	—	—	—	—	88
Dislocation	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Fractured skull	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	1
Internal obstruction	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	1
Poisoning	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Syphilis	—	—	—	—	—	—	—	—	1	—	—	—	—	1	—	—	—	—	2
Abscess	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1
Malignant Ulcers	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1
Erysipelas	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	1
Inflammation	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	1
Brain disease	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Epilepsy	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	1
Paralysis	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	1
Convulsions	—	—	—	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	2
Fit*	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Heart disease	—	—	—	1	—	—	—	—	—	2	—	—	—	—	—	—	—	—	3
Dysentery	—	1	1	8	3	6	1	1	1	—	—	—	—	—	—	—	—	—	22
Diarrhœa	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Gastritis	—	—	—	—	—	—	—	—	—	—	2	—	—	—	—	—	—	—	2
Hemmorhage	—	—	—	1	—	—	—	1	1	—	—	—	—	—	—	—	—	—	3
Colic	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	1
Congestion	—	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	2
Scurvy	—	2	—	9	18	6	2	1	—	3	7	4	—	—	—	—	—	—	52
Debility	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1

Consumption	1	—	—	—	—	—	—	—	—	—	1	1	—	—	—	—	—	—	3
Phthisis	2	2	2	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	7
Pneumonia	4	8	1	16	10	9	2	2	3	9	2	9	—	—	4	1	—	1	81
Chest complaint	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1
Inflammation of lungs	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	1
Pleurisy	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Unknown	—	—	1	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	2
Bronchitis	—	—	—	—	—	—	—	—	—	—	1	1	—	—	—	—	—	—	2
Malaria	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1
Fever	—	—	—	—	1	11	—	—	—	—	—	—	—	1	—	—	—	—	13
Natural causes	—	—	—	—	—	—	—	—	—	1	—	—	—	—	1	—	—	—	2
Naturalitis	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1
Total	9	13	11	38	35	112	8	7	7	19	19	17	2	2	5	1	—	1	306
		33			185			22			55			9			2		

Rhodesia Chamber of Mines (Incorporated), Bulawayo,
May 3, 1907.

To the Manager

. . . . Mine.

Dear Sir,

Diet of Mine Labourers.

I am directed to request your consideration of the important question of diet of mine labourers which has been engaging the close attention of this Chamber for some time past.

The importance of realising the fact that natives, when occupied in mine work, are unable to maintain their health and strength on the same diet as that to which they are accustomed at their own kraals, cannot be too strongly impressed upon mine managers, and it is believed that by issuing a more varied scale of diet not only will the mines become more attractive to natives, but an inducement will be offered them to accustom themselves to longer periods of service.

After careful consultation with medical and other experts, the Chamber desires to ask you to consider the feasibility of issuing a diet on the following lines:—

(1) Meal.—(Rapoko, mealie, inyout, or mabele), 2½ lbs. per diem.
Rice, 1½ lbs. per diem.

(2) Meat.—For underground boys only 1 lb. per week.

(3) Vegetables.—Issue of monkey nuts once a week, varied with beans or potatoes, or such other vegetables as may be available.

(4) Lard.—When monkey nuts are not available, lard to be issued in lieu thereof.

(5) Salt.—Three ounces per week.

The estimated cost, which would, of course, vary in different districts, would be as follows:—

	Cost per diem. d.
Meal (2½ lbs. per diem)	3·332
Meat (1 lb. per week)	·642
Monkey nuts or potatoes (2 lbs.)	·343
Salt	·257
	4·574

The Chamber does not think the above scale of cost of such a varied diet as they suggest would be greatly in excess of the existing cost of feeding natives, but would be glad to hear your views on the subject generally.

I am, &c.,
W. W. Jenkins,
Secretary.

LABOUR RETURN.

For the Month of..................................19.........
....Mine. Reg. No............ ....District.

	Number.
Europeans employed	

Natives employed.	Actual Number on Mine.	Average Number daily employed.	Average Pay.
(1) Surface			
(2) Underground			
(3) Special			
Totals			

ANALYSIS OF SOURCES OF SUPPLY OF ACTUAL NUMBER ON MINE.

(1) Local	
(2) Portuguese Territory	
(3) North-Western Rhodesia	
(4) North-Eastern Rhodesia	
(5) British Central Africa	
(6) Other Sources	
Total	

Length of Shifts (in hours) ... ...
Average period natives remain at Mine (in months) ... ...
Desertions during month ... ...

I,..... ....do hereby certify that the information shown above is true and correct.

Signature..
In what capacity signing..
Dated at.......................................this..............day of...... ....19.........

NOTE.—This Return is called for in terms of Government Notice No. 95 of 1907, issued under the provisions of the "Mines and Minerals Ordinance, 1903," and must be received by the Mining Commissioner or such other Official authorised thereto not later than seven days after the termination of the month to which it relates. Failure to furnish such Return renders the responsible person liable to the penalties as prescribed in the said Notice.

HEALTH AND MORTALITY RETURN.

For the Month of ....19.........
....Mine. Reg. No............ ....District.

LIST OF DISEASES.

——	Sick at 1st of Month.	New Cases.	Recovered.	Died.	Sick at end of Month.
Europeans—					
Malaria					
Dysentery					
Intestinal diseases					
Pulmonary diseases					
*Other diseases					
Accidents and injuries { Major					
Accidents and injuries { Minor					
Totals					

* In case of death give cause as far as ascertainable.

—		Sick at 1st of Month.	New Cases.	Recovered.	Died.	Sick at end of Month.
Natives—						
Malaria						
Scurvy						
Dysentery						
Syphilis						
Pulmonary diseases	Pneumonia					
	Phthisis (consumption)					
	Other diseases of chest ...					
Intestinal diseases	Diarrhœa					
	Other intestinal diseases					
Diseases of heart						
Debility and inanition						
*Other diseases						
Accidents and injuries	Major					
	Minor					
	Totals					

* In case of death give cause as far as ascertainable.

I,..do hereby certify that the information shown above is true and correct.

Signature...

In what capacity signing..

Dated at..................................this.............. day of........................19.........

NOTE.—This Return is called for in terms of Government Notice No. 95 of 1907, issued under the provisions of the "Mines and Minerals Ordinance, 1903," and must be received by the Mining Commissioner or such other Official authorised thereto not later than seven days after the termination of the month to which it relates. Failure to furnish such Return renders the responsible person liable to the penalties as prescribed in the said Notice.

Enclosure 4 in No. 32.

HIGH COMMISSIONER, Johannesburg, to RESIDENT COMMISSIONER, Salisbury.

TELEGRAM.

July 10. No. 31. Your despatch, 107, June 20th, mortality Southern Rhodesia mines, I am forwarding Administrator's despatch of June 17th to Secretary of State, but before dealing with it in detail I shall await full report from you on the subject. This is a matter on which Secretary of State will, no doubt, desire an expression of your views. Your report should deal seriatim with points raised in my despatch to Administrator of March 30th, and should state your opinion as to whether each point has been satisfactorily met by Sir T. Scanlen's reply. You may have opportunities of making inquiries during your forthcoming tour.

No. 33.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD, Downing Street, August 15, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the 15 ultimo,* and to refer to my telegram, No. 1, of the 24th of July,† in which I informed you of the terms on which I was prepared to agree to the continuance of recruiting for the Transvaal mines from the British Central Africa Protectorate and North-Eastern Rhodesia.

2. Though more than two-thirds of the natives from the British Central Africa Protectorate were employed on the Premier Diamond Mine during the months under review in your telegram A, of the 15th of July,‡ the death-rate amongst these natives was not materially less than that amongst the natives from tropical areas as a whole, the majority of whom were presumably employed underground; and I request that you will inform your Ministers that it was largely in view of this fact that I did not feel justified in permitting the renewal of recruiting of natives from the Protectorate for underground work.

I have, &c.,
ELGIN.

No. 34.

THE SECRETARY OF STATE to THE COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE.

[*Answered by Nos.* 55 *and* 56.]

SIR, Downing Street, August 16, 1907.

I HAVE the honour to inform you that I have recently received from the High Commissioner for South Africa a copy of a correspondence§ dealing with the high rate of mortality among native labourers on the mines in Southern Rhodesia.

2. It appears from reports received by Lord Selborne that the high death-rate is largely due to the excessive number of deaths which occur among labourers coming from the territories lying north of Southern Rhodesia, and more particularly among those who have found their own way to the mines instead of being recruited through the agency of the Rhodesian Native Labour Bureau. Natives engaged at the mines in such circumstances, it is said, are peculiarly susceptible to disease, owing to the hardships which they suffer on the journey, and the weak and emaciated condition in which they arrive at their destination.

3. I cannot but view the present state of affairs with grave concern, and I trust that the efforts which are now being made in Southern Rhodesia may result in such an improvement in the death-rate as will obviate any restriction on the present supply of labour to the mines. It appears from a letter from the Rhodesia Chamber of Mines, extracts‖ from which are enclosed, that representations have already been made to the Administrations of North-Eastern and North-Western Rhodesia, and I have no doubt the question is being earnestly considered by the authorities of those territories. I am in communication with the Administrator of North-Western Rhodesia in regard to the supply of labour from that territory, and I also wish to obtain through you from the Acting Administrator of North-Eastern Rhodesia a full report on the present conditions under which labourers proceed from the territory under his control to the Southern Rhodesia mines.

4. I should wish Mr. Wallace to deal both with the question of recruiting through the recognised agency and with the problem of the independent emigrant in search of work, and I should be glad to learn whether he has any suggestions to make as to possible measures to secure more effectual supervision of the latter class. It might, for instance, be possible to establish some precautions which would tend to ensure that the native would report himself at some definite place where the medically unfit could be turned back before leaving the territory.

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* No. 31. † No. 30. ‡ No. 28. § See No. 32. ‖ Paragraphs 5, 6, 9 and 20 on pages 41, 42 and 45.

5. I should also be glad to receive any observations which you may be able to add in regard to the problems under discussion, the difficulty of which I do not fail to recognise.

I have, &c.,
ELGIN.

No. 35.

THE SECRETARY OF STATE to THE HIGH COMMISSIONER FOR SOUTH AFRICA.

MY LORD,
Downing Street, August 16, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the 15th of July,* transmitting a copy of further correspondence with the Resident Commissioner relative to the mortality among native labourers on the Southern Rhodesia mines.

2. I cannot but view the present high death rate, which appears to be due principally to labourers from the northern territories, with grave concern. I am glad to observe that you have gone very thoroughly into the matter, and I trust that the efforts now being made will result in such an improvement as will render any action tending to restrict the sources of supply of labour unnecessary. I could not allow such a mortality as occurred in the Gwanda district in December, 1906, and January, 1907, to pass unnoticed.

3. From the correspondence it would appear that the excessive mortality among labourers from the northern territories may be traced to a large extent to the weak state of health in which labourers not recruited through the bureau arrive at the mines owing to the hardships of the journey. No doubt something should be done to mitigate this by allowing a longer period for rest and recuperation on arrival, but it would appear that the remedy for the evil, if there is one, must be sought in the northern territories from which the labourers come. I do not know how far it would be possible to direct the stream of labour through definite ports of egress where some supervision could be maintained and medical inspection established. In any case I should be glad if you would communicate with the Administrator of North-Western Rhodesia informing him that my attention has been directed to the high death rate among natives of the territory under his charge when at work on the mines in Southern Rhodesia, and asking him to report fully both on the measures now taken to supervise the recruits obtained by the bureau, and on any suggestions which he may be able to make for dealing with emigration of natives who seek work independently of any organised agency.

4. I should add that I am writing in the same sense to the Administrator of North-Eastern Rhodesia through the Commissioner of the British Central Africa Protectorate

I have, &c.,
ELGIN.

No. 36.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 3.5 p.m., 22nd August, 1907.)

TELEGRAM.

[*Answered by No.* 37.]

22nd August, A. Your telegram, 24th July, No. 1.† Following is summary of further minute received from Ministers:—

> They regret His Majesty's Government's decision not to sanction employment of natives from tropical territories under conditions proposed in Ministers' minute of 10th July. Your decision as given does not help matters, because there is no difficulty in procuring as many labourers as required for surface work and consequently no further demand for such labourers. Premier Diamond Mine does not desire to avail itself of your decision. Ministers again call attention to probability of natives in British

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[*] No. 32.

[†] No. 30.

Central Africa finding their way down to gold mines independently without supervision and resultant increased danger to health. They refer to telegram from Administrator, British Central Africa, to yourself, 10th July, copy of which received by me from Colonial Office I showed privately to Minister of Native Affairs.

Despatch follows by mail.—SELBORNE.

No. 37.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 4.5 p.m., 29th August, 1907.)

TELEGRAM.

29th August. No, 1. Referring to your telegram, 22nd August, A.* In view of the high mortality amongst the British Central Africa Protectorate natives I feel it difficult to alter my opinion of what is necessary. I must give the whole matter the fullest consideration, and cannot decide until I have received your despatch.—ELGIN.

No. 38.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received September 14, 1907.)

[*Answered by No.* 41.]

MY LORD, Government House, Pretoria, August 26, 1907.

WITH reference to my telegram "A" of the 22nd August,* I have the honour to transmit to you the accompanying copy of a Minute which I have received from my Ministers on the subject of the recruiting of native labour for underground work on the Witwatersrand gold mines from the British Central Africa Protectorate and North-Eastern Rhodesia.

2. You will observe that Ministers refer to the telegram from the Administrator of the British Central Africa Protectorate to Your Lordship of the 10th July.† A copy of this telegram was among the printed papers sent to me each week from the Colonial Office, and as it appeared to me to have an important bearing upon the question of the recruiting of tropical labour, I showed it privately to the Minister of Native Affairs.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 38.

MINISTERS to GOVERNOR.

(Minute, 408.)

Prime Minister's Office, Pretoria, August 19, 1907.

Ministers have the honour to acknowledge the receipt of His Excellency's Minute, No. 50/5/07, of the 25th July, enclosing a copy of the Secretary of State's telegram, No. 1, dated the 24th July, regarding the recruitment of native labour in the British Central Africa Protectorate and North-Eastern Rhodesia.

Ministers express their regret that His Majesty's Government have not been able to sanction the employment of natives from those territories under the conditions specified in their Minute of the 10th July, 1907.

As the Secretary of State may not be aware that the effect of the decision conveyed by his telegram is such as to preclude the mining industry from taking any advantage of it, Ministers hope that the question may be submitted for his reconsideration.

In view of the fact that the mines experience no difficulty in procuring as many labourers as they require for surface work, there is practically no demand for such labour at the present time nor is there any likelihood of its arising in the near future.

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* No. 36.

† No. 26.

For that reason the recommendations contained in Ministers' Minute of the 10th July contemplated the recruitment of labour mainly for underground work, and unless it can be obtained for such work the companies do not require it.

It has been ascertained, moreover, that the Premier Diamond Mine does not desire to avail itself of the suggestion for the employment of natives from British Central Africa, as its demands are fully met by the local supply.

Ministers desire the Secretary of State's attention to be invited to the probability of natives from British Central Africa finding their way down to the gold mines independently, if recruiting operations there be entirely prohibited, and in this view they are supported by the Administrator of the Protectorate in his telegram to the Secretary of State, dated the 10th July.

In the interest of the natives themselves no less than in that of the mines, it is infinitely preferable that the labourers should be engaged locally under careful Government supervision and regulation than that they should come down to the Transvaal on their own account—a movement which this Administration cannot control.

Having regard to the distance between British Central Africa and North-Eastern Rhodesia and the gold mines of this Colony, any natives travelling independently must inevitably be exposed to considerable hardships on a foot journey of two or three months' duration without any arrangements for their shelter and food. Under such conditions many of them would in all probability arrive in such a weakened condition as to render them peculiarly susceptible to the change of climate of the Witwatersrand, whereas under regulated recruitment they would be properly cared for, and therefore not subject to such hardship and susceptibility.

LOUIS BOTHA.

No. 39.

THE DEPUTY GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received September 28, 1907.)

MY LORD, Governor's Office, Johannesburg, September 9, 1907.

WITH reference to your despatch of the 3rd July,* I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of the recruitment of natives from the British Central Africa Protectorate for work on the Premier Diamond Mine.

I have, &c.,
H. HILDYARD,
Deputy-Governor.

Enclosure in No. 39.

MINISTERS to DEPUTY GOVERNOR.

(Minute, No. 458.)

Prime Minister's Office, Pretoria, September 7, 1907.

With reference to His Excellency the Deputy Governor's Minute, No. 50/5/07, of the 26th July last, relative to the recruitment of natives from British Central Africa for work on the Premier Diamond Mine, Ministers regret that they have not been able to obtain any definite information as regards the high rate of mortality amongst these natives *en route*.

The natives were medically examined at every convenient point, and, as a result of these examinations, fourteen were rejected as unfit for work. One was considered to be too young; one was found to be suffering from a large venereal sore; one was a victim to enteritis; and one suffered from anæmia; the remaining ten, though no reason was recorded by the medical officer, were probably rejected on account of debility.

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* No. 25.

As regards the number who did not arrive at their destination, it would appear that these two natives deserted *en route*, and it has not been possible to obtain further information as to their whereabouts.

LOUIS BOTHA.

No. 40.

THE DEPUTY GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received September 28, 1907.)

MY LORD, Governor's Office, Johannesburg, September 9, 1907.

WITH reference to Lord Selborne's despatch of the 26th August,* I have the honour to enclose, for your information, copy of a minute from Ministers on the subject of the recruitment of natives in the British Central Africa Protectorate for labour on the Premier Diamond Mine.

I have, &c.,
HY. HILDYARD,
Deputy-Governor.

Enclosure in No. 40.

MINISTERS to DEPUTY GOVERNOR.

(Minute 451.)

Prime Minister's Office, Pretoria, September 4, 1907.

In connection with their Minute, No. 408, of the 19th August, Ministers have the honour to transmit to the Governor the enclosed copy of a correspondence between the Witwatersrand Native Labour Association and the Premier Diamond Mining Company, from which it will be observed that the Company's Board does not desire to avail itself of the permission to employ a number not exceeding 2,000 native labourers from the British Central Africa Protectorate under the authority conveyed in the Secretary of State's telegram to His Excellency, No. 17, of the 10th July, 1907 [? No. 1 of the 24th July, 1907].

LOUIS BOTHA.

Witwatersrand Native Labour Association, Limited,

DEAR SIR, Chamber of Mines Buildings, Johannesburg, August 1, 1907.

OUR agent in British Central Africa wires me as follows:—

"Following from Commissioner, Zomba:—

> "*Begins:* Permission granted to recruit up to 2,000 for surface work on the Premier Mine under the same conditions as before. Inform me if your Association wish to recruit under above conditions. *Ends.*"

In connection with the above, I beg to confirm the conversation which my General Manager had with you, and shall be glad to learn whether the Premier Diamond Company is prepared to accept these 2,000 Central African natives.

Yours, &c.,

Secretary.

The Secretary,
Premier (Transvaal) Diamond Mining Company, Limited,
Johannesburg.

Witwatersrand Native Labour Association, Limited,

DEAR SIR, Chamber of Mines Buildings, Johannesburg, August 3, 1907.

WITH reference to my letter of the 1st instant, relative to recruiting of natives in British Central Africa for your Company, I have to inform you that, so far, we have been unable to obtain the sanction of the British Central Africa authorities to any arrangement by which the native should, themselves, pay the cost of their own repatriation, although we are still endeavouring to do so, but, on the assumption that this is impossible, we shall be glad to hear from you on the following points:—

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* No. 38.

(A) The number you are prepared to accept up to the 29th February next.

(B) Whether, in addition to the cost of importation, you are prepared to pay the cost of the repatriation of these natives, estimated approximately at 35s. per head, upon completion of their period of service, and, in this case, what minimum wage you would be prepared to offer the natives. In the event of your not being able to agree to "(B)," I shall be glad to know:—

(C) Whether you would take the natives if it is found possible to arrange that they shall themselves bear the cost of their own repatriation, and, in this case also, please state the minimum wage you would be prepared to offer.

Yours, &c.,

Secretary.

The Secretary,
Premier (Transvaal) Diamond Mining Company, Limited,
Cullinan Buildings, Johannesburg.

(Ref.: 5/58. 1. 447-8.)

Premier (Transvaal) Diamond Mining Company, Limited,

DEAR SIR, (Head Office), Cullinan Building, Johannesburg, August 9, 1907.

WITH reference to your letter of the 1st instant, concerning the permission granted to recruit up to 2,000 British Central Africa boys for surface work at the Premier Mine, I now beg to subjoin extract from our General Manager's letter of the 8th August, dealing with this matter:—

> "I am in receipt of the enquiry contained in your letter of the 31st ultimo, in regard to the offer of the Witwatersrand Native Labour Association to supply 2,000 British Central Africa boys to the Company, and in reply I am unable to recommend the acceptance of this offer. The boys arrive here untrained and they are of very little use until they have been at work for six months and gained experience; and even then, at their best, they are much inferior in efficiency to the average native received from other sources. As to cost I take it that the Witwatersrand Native Labour Association would impose their usual recruiting charge of £5 per head, whereas we have a plentiful supply of labour coming in voluntarily, and seeing that we are obtaining a steady supply even in excess of our immediate requirements, I think it would be unwise to commit ourselves to such a heavy expenditure except in the case of necessity."

In view of the foregoing, therefore, I beg to advise that my Board does not wish to avail itself of the offer made in your letter under reply.

Yours, &c.,
T. EDINGTON,
Secretary.

The Secretary,
Witwatersrand Native Labour Association,
Johannesburg.

No. 41.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD, Downing Street, September 28, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the

26th of August,* forwarding a copy of a minute from your Ministers on the subject of the recruiting of native labour in the British Central Africa Protectorate and North-Eastern Rhodesia for underground work on the gold mines of the Witwatersrand.

2. I am anxious to do what I can to meet the wishes of your Ministers in this matter, but the position is one of considerable difficulty.

3. I understand that the mortality among natives from the British Central Africa Protectorate employed on the Transvaal mines was, during the latter half of 1906, at the rate of 66 per 1,000 per annum, and during the first four months of 1907 at the rate of 53 per 1,000 per annum; while the general mortality among natives from all tropical areas for the whole period from July 1st, 1906, to April 30th, 1907, was at the rate of 57 per 1,000 per annum. Though these figures show a distinct tendency in the right direction, it must be remembered that recently two-thirds of the British Central Africa natives have been employed on the Premier Diamond Mine, where the conditions are admittedly less injurious to their health. There therefore appears to me to be ground for apprehension that, if these natives had all been employed on underground work, the rate of mortality among the British Central Africa natives would have been greatly increased. And even now it is apparently more than double the general rate among all natives employed on the mines.

4. In these circumstances, it is not easy to justify the employment of natives from the territories in question on underground work; and the natural course would seem to be to limit their employment to surface labour. This was the course which I proposed in my telegram, No. 1, of the 24th of July†; but your Ministers represent that as there is already a sufficiency of labour for surface work on the gold mines, and for work on the Premier Diamond Mine, this proposal is of no practical value to the mining industry.

5. The fact, however, that natives from non-tropical areas, who are not unfitted from considerations of health for underground labour, decline to engage for such labour though willing to undertake surface work, does not appear to me to justify the employment underground of natives from tropical areas, whose health is seriously imperilled by such employment, and who perhaps do not realise the conditions upon which they are called upon to do their work. It appears to me that it should be the first duty of the mineowners to endeavour by all means in their power to remove the objection to underground labour, by making its conditions more attractive. If this could be done, some part of the labour now volunteering for surface work might become available underground and the employment of British Central Africa natives upon surface work would then become practicable.

6. I would suggest that a serious effort might be made in the direction which I have indicated. If you can assure me that the effort is being made I shall not refuse my assent to the recruitment of further natives in the British Central Africa Protectorate and North-Eastern Rhodesia. But if it is eventually found that some part of these natives must be given employment underground I consider that the following conditions would represent the minimum that could be required to safeguard their health:—

(1) Employment underground not to commence until three months after the arrival of the natives on the Rand.

(2) Natives so employed to be paid at a higher rate than those engaged on surface labour, to compensate them for the more arduous and less desirable conditions of their employment.

(3) If after three months the rate of mortality among those employed underground exceeded 55 per 1,000 per annum, one-half of the number so employed to be relieved of underground work.

(4) If after a second three months the rate of mortality exceeded 60 per 1,000 per annum, the whole number to be so relieved.

I have, &c.,
ELGIN.

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* No. 38.

† No. 30.

No. 42.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD, Downing Street, October 10, 1907.

WITH reference to my despatch of the 28th ultimo,* on the subject of the employment in the Rand gold mines of native labourers from the British Central Africa Protectorate, I have the honour to inform you that Mr. Casson, Director of Native Affairs in the Protectorate, has suggested that it would be a valuable additional safeguard if natives from British Central Africa employed underground were restricted to the day shifts, as it is understood to be on the night shifts that they are especially liable to contract pneumonia. He also suggested that, in the event of recruiting being resumed, it should be confined in the first instance to natives who have already worked on the mines and may therefore be regarded as to some extent acclimatized to the conditions.

2. I should be glad if you would ask your Ministers to take these suggestions into their consideration.

I have, &c.,
ELGIN.

No. 43.

SIR A. SHARPE to COLONIAL OFFICE.

(Received November 5, 1907.)

[*Answered by No.* 50.]

SIR, Fenton House, Lancaster, November 3, 1907.

FROM the enclosed extracts from private letters† which I have received from Major F. B. Pearce, C.M.G., and from Mr. J. C. Casson (Superintendent of Natives in Nyasaland), it will be seen that the question is now arising as to how employment is to be found for Nyasaland natives.

As I foreshadowed last year there has been during the current dry season a great surplus of native labourers who, after tramping long distances to Blantyre and Zomba in search of work, have been unable to find it and have returned to their homes without earning any money.

The completion of earthworks on the Shire Highlands Railway has reduced the railway company's labour needs by about 10,000 to 12,000 men.

Mr. Casson suggests that more men should be allowed to go to the Transvaal; but it seems very doubtful whether any more of this Protectorate labour is desired on the Rand.

Major Pearce's proposal is that some arrangement should be entered into with the Government of Southern Rhodesia (which should also include North-Eastern and North-Western Rhodesia) for the despatch, under Government supervision and under comfortable conditions, to Salisbury, Bulawayo, &c., of Protectorate natives who wish for well-paid work.

At present a few hundred natives are sent annually from Nyasaland to the Transvaal under agreements for 12 months' work; it now seems, however, that the cost of these men, including their expensive transport, is almost prohibitive. The number of natives who apply to Magistrates to be sent to the Transvaal—in spite of the known heavy mortality—is far in excess of the total authorised.

No natives are sent under Government supervision to any part of Rhodesia, but some 12,000 or more annually find their own way to districts south of the Zambesi, or west of the Protectorate, and there is little doubt that more would go if this emigration were supervised by Government.

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* No. 41.

† Not printed.

I have already, in previous despatches, spoken of the discomforts and dangers which attend this unsupervised traffic of native labourers to and from the Protectorate, and the subject has been alluded to in more than one Annual Report.

Attention has been recently drawn to the question by the correspondence which has taken place between the High Commissioner and the Secretary of State regarding the high rate of mortality in Southern Rhodesia among native workers coming from districts north of the Zambesi, and I think the time has come when arrangements should be made with the Chartered Company (in whose territories Nyasaland labourers are very acceptable) under which a definite system would be decided on for their transport (overland) from the Protectorate to the scene of their work, and back again; and which would also provide, as simply as possible and without too elaborate conditions, for the rate of wages, manner of payment, methods of recruitment, food, clothing, medical attendance, &c., and generally fix the conditions of service. These would not require to be nearly so stringent as in the case of the Transvaal, and transport would be far simpler and less expensive. The climate of Rhodesia, moreover, is better suited to Nyasaland natives than that of the Transvaal.

Recruitment of native labourers in Nyasaland for Rhodesia should be carried out only under an agreement to be entered into by the Chartered Company with the Protectorate Government.

Almost any authorised system would be better than the present condition of affairs, under which thousands of natives find their own way to Rhodesia, suffer great hardships and starvation on their journeys, are to a large extent unprotected during their service, and are sometimes fleeced of their earnings before they get back to their homes.

The advantages to the Protectorate Government and to the labourers themselves of a recognised system are obvious:—To the Chartered Company's territories the chief gains would be a largely increased supply of labour and a definite 12 months' term of service.

With reference to the letter from the Acting Administrator of Southern Rhodesia to the High Commissioner of the 17th of June, 1907,* and its enclosures:—From enquiries made by me in Nyasaland during the past year I came to the conclusion that the heavy mortality in Rhodesia among northern labourers was, at any rate, to some extent due to:—(1) A long and fatiguing journey made under conditions of great discomfort and semi-starvation. (2) The working of men only just arrived from this journey and still suffering from its effects. (3) Possibly not enough attention to the question of compulsory clothing of the labourers, especially on leaving their daily work in the mines and at night.

Experience in the Transvaal seems to show that northern natives cannot have such matters as clothing and blankets left to their option. These require to be supplied to them by their employers, and precautions have to be taken by the employers to ensure that they are used on leaving work and at night.

I understood that up to now blankets, &c., are issued to men *who ask for them*, but that *their cost is paid by the labourer*. The northern native is extremely parsimonious, and, under such conditions, would in most cases sooner go without blankets or clothing than pay for them.

So far as Nyasaland is concerned, the only way to put the matter of the employment of native labourers in Rhodesia on a proper and satisfactory footing is a definite arrangement to be made by the two Administrations; and to ensure a good working of any such arrangement it should apply also to North-Eastern and North-Western Rhodesia. All the Administrations of these various territories would then, as far as possible, put a stop to unauthorised emigration, and Southern Rhodesia might provide measures to prevent the engagement south of the Zambesi of any native workers from the north not forwarded in the authorised manner.

I have, &c.,
ALFRED SHARPE.

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* Sub-enclosure 1 in Enclosure 3 in No. 32.

No. 44.

COLONIAL OFFICE to Mr. J. C. CASSON.

[*Answered by No.* 47.]

Sir,

Downing Street, November 12, 1907.

I am directed by the Earl of Elgin to inform you that he learns that on your way to this country from the Nyasaland Protectorate, on leave of absence, you visited some of the mines in Southern Rhodesia, and paid particular attention to the conditions under which the natives of the Nyasaland Protectorate work in them.

Lord Elgin would be much obliged if you would furnish him with a report on those visits, and with any suggestions which you may have to make as to improving the conditions under which natives of the Protectorate find their way to Southern Rhodesia.

I am, &c.,
H. W. JUST.

No. 45.

The ACTING COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to the SECRETARY OF STATE.

(Received November 16, 1907.)

[*Answered by No.* 48.]

Government Offices, Zomba, British Central Africa,
October 9, 1907.

My Lord,

With reference to your Lordship's telegram, No. 19, of the 24th of July, 1907,* I have the honour to inform your Lordship that after a long delay I have been informed by the Agent of the Witwatersrand Native Labour Association that they do not intend to recruit Nyasaland labour for the Transvaal unless the natives are permitted to work underground.

2. This being the case, recruiting will not take place in the Protectorate this year. This I greatly regret, as there is at present a very large amount of labour available for which there is no work in the country, and I fear that the result will be that thousands of natives will proceed overland of their own accord to the South African Colonies in search of work.

3. I am informed by the Resident of the Central Angoniland District that over 4,000 natives in this district alone have applied to him to be recruited for labour in South Africa, but in view of your Lordship's decision with reference to this matter, and that of the Native Labour Association, their applications have had to be refused.

4. Next year, when the heavy work on the railway has been completed, there will be many thousand additional labourers seeking for work for the purpose of finding the necessary means for paying their taxes.

5. I may perhaps mention that the Rhodesian Native Labour Bureau applied last year for permission to recruit labour in the Protectorate for work in Southern Rhodesia.

This application Sir Alfred Sharpe decided not to entertain at the time, as he felt it desirable that if Protectorate labour was permitted to proceed to work in Southern Rhodesia, the Protectorate should in some way benefit by the concession granted, and it was further considered that if Southern Rhodesia desired Protectorate labour, it would be better if the application for such was made by the Southern Rhodesia Government rather than by a private Association.

6. Another difficulty with regard to coming to a mutual agreement on this matter lay in the Protectorate obtaining a *quid pro quo*, such as was arranged when Protectorate labour was recruited for the Transvaal.

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* No. 29.

7. After some correspondence on the subject it did not appear likely that a similar concession could be obtained with regard to Southern Rhodesia, and the question of labour for that territory has, therefore, not been proceeded with.

8. Now that it appears clear that the Transvaal does not require Nyasaland labour, the necessity of finding work for the Protectorate native has assumed a somewhat more urgent character, and I venture to suggest that it would greatly relieve congestion with regard to labour in this Protectorate, if an arrangement could be come to between the Protectorate Government and the Government of Southern Rhodesia whereby regularised recruiting could take place in the Protectorate, and the labour so obtained be utilised in Southern Rhodesia. If further recruiting for the Transvaal is not to take place, the Protectorate could easily give facilities for the recruiting of 5,000 or more natives without in any way affecting the local labour supply. Indeed, I may say that in view of the large number of natives who go down independently, I am of opinion that 10,000 natives can be spared if some mutual arrangement could be made between Southern Rhodesia and this country.

9. The lines of agreement might be based on an arrangement that for each native recruited the Southern Rhodesia Government should pay 10s. Of this sum 6s. would be for hut tax, and four shillings for expenses incurred by the Protectorate Government undertaking the recruitment of the labourers in the Protectorate. It would be essential, however, that the Southern Rhodesia Government should arrange for rest-houses and a supply of food for the men recruited during their journey from the Protectorate to Southern Rhodesia, and for their return journey.

10. I am not aware whether your Lordship feels disposed to agree to my entering into communication with the Southern Rhodesia Government with regard to this matter, but as your Lordship is aware, unless regular recruiting takes place, natives leave the Protectorate of their own accord, and no one is aware of their eventual fate. The Protectorate gains nothing, and the labourer himself who proceeds of his own accord to South Africa suffers severely, while the family he leaves behind is often placed in an embarrassing position, particularly if the bread-winner happens to die while away from the Protectorate.

11. The question of employment of Protectorate labour outside the limits of the Protectorate has always been a difficult one, and I fear that it will become more difficult as time goes on unless some means are found to prevent the promiscuous departure from the Protectorate of natives who cannot be regularly recruited within it.

12. On the arrival of Sir William Manning I will show him this despatch and talk over the matter generally with him. If he considers it desirable to continue the matter he will, no doubt, in due course communicate further with your Lordship.

I have, &c.,
F. B. PEARCE,
Acting Commissioner.

No. 46.

THE ACTING COMMISSIONER OF THE BRITISH CENTRAL AFRICA PROTECTORATE to THE SECRETARY OF STATE.

(Received November 25, 1907.)

Government Offices, Zomba, British Central Africa,
October 16, 1907.

MY LORD,

I HAVE the honour to transmit, for your Lordship's information, copy of correspondence which has been addressed to the Superintendent of Native Affairs by the Secretary of the Witwatersrand Native Labour Association showing, *inter alia*, the deaths of the Nyasaland natives in the employ of the Premier Mine for the period March 1st to August 27th, 1907, inclusive.

2. There were originally 488 natives employed by this mine, and it will be

seen from the attached list that the death-rate is still excessive, although the natives appear to be well looked after, and every consideration shown them.

I have, &c.,
F. B. PEARCE,
Acting Commissioner.

Enclosure in No. 46.

Secretary, Witwatersrand Native Labour Association, to the Superintendent of Native Affairs, Zomba.

Chamber of Mines' Buildings, Johannesburg,
September 12, 1907.

Sir,

I have the honour to enclose herewith copy of statement showing the wages earned by the British Central Africa natives on the Premier Mine during the months of May, June, and July.

I also beg to enclose a report, supported by statement, made by our Medical Officer upon these natives.

I have, &c.,
A. W. Dix,
Secretary.

Statement for Witwatersrand Native Labour Association, Limited.

Month.	No. of British Central Africa Natives Employed.	No. of Shifts Worked.	Total Amount Earned.	Average per Shift.
			£ s. d	s. d.
May	485	12,294	1,536 15 3	2 6
June	469	11,611	1,451 7 9	
July	463	11.311	1,413 17 0	
Totals	1,417	35,216	4,402 0 0	2 6

Medical Officer to the General Manager, Witwatersrand Native Labour Association, Limited, Johannesburg.

Sir,

Johannesburg, September 4, 1907.

I beg to report that on August 28th, I visited the Premier Mine, to make enquiries concerning the British Central Africa natives allotted there in March of this year.

I inspected a number of them; none of those I saw were emaciated or poor; they were apparently in excellent condition, but the mortality amongst them has been heavy.

There have been 26 deaths, or 5·65 per cent. in six months.

Of the 26 deaths, 23 were due to pneumonia, one to enteric fever, and two to meningitis, as shown in the accompanying return.

These boys have received every consideration; they have never been on night shift, nor have they been at work below in the mine, and they have recently been housed in a separate compound.

I have, &c.,
G. A. Turner,
Medical Officer.

WITWATERSRAND NATIVE LABOUR ASSOCIATION, LIMITED.

Statement showing Deaths of British Central Africa Natives (in the employ of the Premier Mine) from March 1st to August 27th, 1907.

Date of Admission.	Name.	No.	Tribe.	British Central Africa No.	Date of Death.	Cause of Death.
1907.					1907.	
March 7th ...	Bwanandogo ...	9,514	Lipongo ...	85	March 12th	Purulent meningitis.
March 7th ...	Manya... ...	9,889	Yao ...	634	March 13th	Pneumonia.
April 11th ...	Chipandi ...	9,735	" ...	361	April 23rd ...	Pneumonia, heart failure.
April 23rd ...	Mlosi	9,718	" ...	656	April 29th ...	Double pneumonia, pericarditis.
May 2nd ...	Miamba ...	9,615	" ...	79	May 3rd ...	Meningitis.
May 5th ...	Bwanali ...	9,849	" ...	286	May 5th ...	Pneumonia, meningitis.
May 2nd ...	Chipete ...	9,787	" ...	268	May 9th ...	Pneumonia.
May 2nd ...	Kachingwe ...	9,895	" ...	717	May 10th ...	Pneumonia.
May 9th ...	M'dala... ...	9,836	" ...	356	May 10th ...	Meningitis, pneumonia.
May 2nd ...	Abdala ...	9,700	" ...	643	May 14th ...	Double pneumonia.
May 14th ...	Pound... ...	9,730	... ...	229	May 19th ...	Pleuro pneumonia.
May 13th ...	Asani	9,602	... ...	191	May 23rd ...	Pneumonia, heart failure.
June 1st ...	Inwenda ...	9,950	... ...	607	June 4th ...	Pneumonia.
June 3rd ...	Idi	9,878	... ...	714	June 9th ...	Pneumonia, heart failure.
June 6th ...	Palaso	9,901	... ...	314	June 16th ...	Pneumonia.
June 21st ...	Hanja	9,686	... ...	669	June 24th ...	Enteric fever.
June 28th ...	George ...	9,814	... ...	225	July 3rd ...	Pneumonia.
July 3rd ...	M'linde ...	9,819	... ...	214	July 8th ...	Double pneumonia.
July 1st ...	Kwanda ...	9,616	... ...	9	July 9th ...	Pneumonia, jaundice.
July 1st ...	Adam	9,600	... ...	170	July 9th ...	Pneumonia.
June 12th ...	Kaisa	9,945	... ...	322	July 14th ...	Double pneumonia.
July 8th ...	Johnny ...	9,698	... ...	725	July 16th ...	Pneumonia.
July 19th ...	Gwedesa ...	9,952	... ...	5	July 24th ...	Pneumonia.
July 31st ...	Magombo ...	656	... ...	—	August 8th...	Pneumonia, meningitis.
July 20th ...	Kalonga ...	9,666	... ...	188	August 6th...	Pneumonia.
August 13th...	Lopa	597	... ...	—	August 14th	Double pneumonia.

In Hospital, August 22, 1907.

Pulmonary diseases	6
Other diseases	12
	18

No. 47.

MR. J. C. CASSON to COLONIAL OFFICE.

(Received November 26, 1907.)

[*Answered by No.* 51.]

SIR, 42, Elm Park Road, Finchley, N., November 25, 1907.

IN reply to your letter dated the 12th of November, 1907,* I have the honour to submit herewith a report upon Nyasaland natives working in Rhodesia, together with certain suggestions for their future control and for improving the conditions under which natives of the Protectorate find their way to Southern Rhodesia.

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* No. 44.

I beg to call special attention to the fact that with no control, as at present, it is impossible to supervise the temporary migration of Nyasaland natives, or to obtain reliable details with regard to natives dying in Southern Rhodesia, whose wives and relatives are therefore left in doubt as to their existence or probable return to their homes. Neither is it possible to have any accurate statistics of any kind.

The scheme I have suggested obviates active recruiting and limits the migration to those natives who *voluntarily* wish to go outside the Protectorate in search of work. Active recruiting would possibly cause active, though perhaps unreasonable, opposition from certain quarters.

The Pass Officers referred to in the scheme could also act as Labour Inspectors within the Protectorate; the officer to be stationed at Zomba would be of considerable assistance to me both in my office and in connection with outdoor duties; at the present time I have no assistant and find it sometimes impossible to undertake necessary personal inquiries at a distance from Zomba owing to pressure of work in my office.

I have, &c.,
J. CHAS. CASSON,
Superintendent of Native Affairs,
Nyasaland.

Enclosure in No. 47.

REPORT AND SUGGESTIONS relating to Nyasaland Natives at work in, and proceeding to, Southern Rhodesia, by J. C. CASSON, Superintendent of Native Affairs, Nyasaland.

London, November, 1907.

1. During my journey on foot and bicycle from Fort Jameson in North-Eastern Rhodesia to Broken Hill in North-Western Rhodesia, a distance of 350 miles, I overtook a number of gangs of natives of Nyasaland who were proceeding in search of work.

2. These gangs varied in number from 3 or 4 to 20 and were composed of the following tribes:—

Yaos from the South Nyasaland District.
Achipeta from the Central Angoniland District.
Atonga and others from the West Nyasa District.
Angoni from the Mombera District.

3. The gangs proceeding from Nyasaland in search of work either follow the old mail route from Fort Jameson to Salisbury (which runs along the western border of Portuguese East Africa) viâ Feira on the Zambesi River, or the new mail route from Fort Jameson to Broken Hill.

4. On this latter route there is a gold mine, known as the Sasare Mine, which is situated about 100 miles from Fort Jameson. Most of the gangs proceeding along this route call at this mine on the chance of finding work.

5. The development of this mine is proceeding but slowly, only four stamps being at work; the number of natives employed is therefore small. At the date of my visit (30th July, 1907), there were between 200 and 300 natives at work. The majority of these were Angoni from the Mombera District of Nyasaland; all the natives on the mine were from Nyasaland.

6. The wage paid (five to eight or ten shillings a month) was not much more than the wage paid to labourers in Nyasaland (three to six shillings a month). Shelter was provided for the workers in native-built huts; a weekly allowance of one shilling (sometimes less) per man was made for food, the supplies being brought in once a week by natives from villages in the surrounding district. Each gang made its own arrangements for food and the meals were generally prepared in the usual native fashion by women who had accompanied the gangs from Nyasaland. The water supply was only fair in quality and not plentiful at the date of my visit (dry season).

7. Underground mining was carried on by means of short adits (100 to 150 yards long) driven into the side of the hill at three different levels, the gold-bearing material being brought out in small trucks, by natives, on a tramway running down the hill side to the stamps. Two shifts were worked in the 24 hours—no work on Sundays.

8. Those natives who fail to find work at Sassare proceed either to Broken Hill (250 miles further on) or, upon reaching the banks of the Loangwa River proceed southwards into Southern Rhodesia entering that territory either at Feira or at some other point.

9. At Broken Hill, work on the mines is practically suspended and I found many Nyasaland natives who had tramped from 400 to 500 miles on the chance of finding work, without employment. The mine work is at present all on the surface. The work in the very small settlement at Broken Hill was being done almost entirely by Nyasaland natives, including the erection of some brick buildings for the Administration, undertaken by natives from Blantyre, nearly 700 miles away.

10. In Southern Rhodesia I estimate that over 5,000 Nyasaland natives are annually engaged for various kinds of work. This estimate is based upon the number of passes issued in Nyasaland. The majority of them are from the Lake Province.

11. The majority of these natives leave the Protectorate by the road leading to Fort Jameson, at which place many of them are engaged or signed on by Mr. Verreker, the Agent of the Rhodesia Native Labour Bureau, an organisation constituted under Section 8 of Ordinance No. 11 of 1906 (Southern Rhodesia).

12. Applications have been made on two occasions to the Governor of the Nyasaland Protectorate by persons desirous of actively recruiting natives in the Protectorate on behalf of the Rhodesia Native Labour Bureau. These have been refused, as no direct application from the Rhodesia Native Labour Bureau (hereinafter referred to as "the R.N.L.B.) supported by the Administration of Rhodesia, has ever been made.

13. It has not been possible, therefore, to organise or control in any way the journey from Nyasaland to Southern Rhodesia undertaken by the large number of natives who *voluntarily* leave Nyasaland yearly viâ Fort Jameson and Feira, &c.

During 1906 I opened direct communication with the Chief Native Commissioners of Mashonaland and Matabeleland and arranged for reports of the deaths of Nyasaland natives to be forwarded to me. Such reports have been sent to me from time to time and I have gathered from them that a very high death-rate has been shown at certain mines in Southern Rhodesia, notably the Ayrshire Mine, the Wanderer Mine, and others. This high death-rate, sometimes equalling that of Nyasaland natives in the Transvaal mines, appears, notwithstanding that (*a*) Nyasaland natives, on arrival in Southern Rhodesia, customarily give other than the right names of themselves, their chiefs, tribes, and villages; and (*b*) that owing to the officials of Southern Rhodesia not having any knowledge of the tribal languages of Nyasaland, frequent mistakes must and do arise in noting the place of origin of natives signed on for labour. The actual death-rate is, therefore, probably higher than is shown by official figures.

15. As my journey home viâ North-Eastern, North-Western, and Southern Rhodesia was undertaken by me in my private capacity, I was unable to visit mines and other centres in Southern Rhodesia for the purpose of making full official enquiries. The time occupied on my journey had, moreover, to be taken out of my six months' leave period, and all additional expenditure by me incurred on the journey was at my own expense. I was able, however, to visit Wankie, the coal mining centre, and here I found some Nyasaland natives at work, and they appeared to be contented, happy, and healthy. The Wankie District has, I believe, a fairly hot climate and suits Nyasaland natives.

16. I was enabled to arrange an interview at Bulawayo with Mr. Taylor, the Chief Native Commissioner there. He informed me that improvement in the care and attention bestowed by employers (especially at mines) in Southern Rhodesia was greater now than in the past and that as opportunity arose the conditions under which natives' labour would be further improved from time to time. Mr. Taylor mentioned that as the mines and mine-owners' profits were not of the same high standard as in the case of the Rand Mines of the Transvaal, the rate of pay and conditions of service in Southern Rhodesia must of necessity be, respectively, less in amount and not so perfect. On the mines pay averages 22s. 6d. a

month for underground work and 15s. a month for surface work, *i.e.*, 9d. and 6d. a day. Farm labourers average 15s. a month. Domestic servants (male) get as much as from £3 to £5 a month. Nyasaland natives are described by Mr. Taylor in his last Report (March, 1907) on Native Affairs, to be the best workers in Southern Rhodesia. This statement indicates that a very large number is employed.

17. I am of opinion, however, that at some of the mines, at any rate in Southern Rhodesia, but little attempt is made to care for native welfare generally so long as a supply of labourers is forthcoming somehow and from somewhere.

18. At the present time, however, and so long as Nyasaland natives are allowed to go in thousands voluntarily to Southern Rhodesia without any control or supervision of any sort or kind being possible, no adequate steps can be taken to watch over them. Once they are over the Nyasaland border they are out of the control of the Nyasaland authorities. During the past two years many hundreds of natives have applied to me personally in Zomba to be sent to work outside of Nyasaland, but I have had to refuse them assistance for the following reasons, viz.:—

(*a*) The Government of Nyasaland did not undertake to engage natives for *any* employers.

(*b*) No machinery existed for enrolling or dispatching natives for distant parts, except for the Transvaal under certain restrictions applicable to a limited number of natives only; and no funds have been available for such a purpose.

19. I therefore beg to make the following suggestions:—

(*a*) That a Government Labour Migration Bureau be established in Nyasaland, with head office at Zomba and branches at, probably, Fort Johnston for South Nyasa, Dowa for Central Angoniland, Chintechi for West Nyasa, Mzimba for Mombera District and North Nyasa District.

(*b*) That Pass Officers be appointed at salaries of £200 to £300 by £10 yearly increments for each of the five centres, Zomba, Fort Johnston, Dowa, Chintechi, and Mzimba.

(*c*) That arrangements be made with the R.N.L.B. to the end that all natives who voluntarily apply at either of the Pass Offices to be sent to South Africa, be given a pass (free of cost to native) and sent on to the R.N.L.B. Agent at Fort Jameson.

(*d*) That the R.N.L.B. shall pay a capitation fee of five shillings to the Nyasaland Government for every native received at their Fort Jameson Agency and also a six shilling tax for every such native over the age of 16 years, to be deducted later by R.N.L.B. from natives' deferred pay.

(*e*) That the R.N.L.B. shall supply a blanket to every native, and food between Fort Jameson and destination in Southern Rhodesia, establishing food depôt or depôts along the route from Fort Jameson to Feira (possibly one at Mwanachisanga(?) would be sufficient), and between Feira and destination.

(*f*) That the R.N.L.B. shall erect and maintain in good order rest-houses along the route at convenient points and provide ferries where necessary, *e.g.*, at the Loangwa and Zambesi Rivers.

(*g*) That the natives receive one-third only of their pay whilst at work in Southern Rhodesia, the remaining two-thirds being treated as deferred pay and remitted to the Superintendent of Native Affairs, Zomba, for the benefit of the natives on their return.

20. In support of the above suggestions I beg to submit that:—As regards (*a*) and (*b*) the necessary expenditure to be incurred would be more than met by the capitation fees to be paid by the R.N.L.B. (*vide* (*d*)) by the increased hut-tax revenue resulting from the six shilling taxes (instead of three shillings) to be paid (*vide* (*d*)), and by the increase in Customs duties which would result from the pur-

chase of goods in Nyasaland by returning natives out of their two-thirds deferred pay. For example, if 5,000 natives go to Southern Rhodesia there will be:—

5,000 capitation fees of 5s.	£1,250
5,000 6s. taxes instead of 3s. taxes, an increase of	750
Estimated deferred pay for each native to receive and spend = £6, or for 5,000 natives = £30,000, giving an increase in Custom duty	3,000
	£5,000

21. A result similar to the above has already obtained in connection with the recruitment of natives for the Transvaal; definite figures in relation to this I could give on return to Zomba, if required.

22. As regards (*c*):—I propose to do away with the charge of one shilling for permit or pass to leave the Protectorate at present payable by natives under the British Central Africa Native Labour Ordinance, 1904. It most frequently happens that natives requiring passes have not the necessary shilling and the charge induces them to evade getting a pass at all, their identity being thus lost.

23. As regards (*d*):—The R.N.L.B. would not, I imagine, be unwilling to pay this small capitation fee. It is within my knowledge that they have offered a higher payment as commission to certain persons who have offered to actively recruit labourers in Nyasaland. At present Nyasaland gets absolutely nothing in return for the thousands of labourers who proceed annually to Southern Rhodesia; in the Transvaal, the produce of Nyasaland enters free of duty.

24. As regards (*e*):—The establishment of a food depôt or depôts along the route is absolutely necessary, for the reason that the native villagers along the route in North-Eastern Rhodesia could not supply the amount of food required, and, even if they could, they would charge prohibitive prices which would compel travelling natives to proceed on their journey without food. On the other hand, no difficulty would be experienced by an agent of the R.N.L.B. in purchasing food supplies at reasonable prices (there is a white settler at or near Mwanachisanga who did this for the Witwatersrand Native Labour Bureau). The natives of North-Eastern Rhodesia are not hospitably inclined towards travelling natives of strange tribes.

25. As regards (*f*):—Rest-houses are necessary along this route (Fort Jameson to Feira). So many natives have in the past few years fallen sick and died that the route is now infested with man-eating lions. Lack of food has often compelled travelling gangs of natives to leave a sick companion by the wayside to recover or die. I was informed by Mr. Thornicroft, the Magistrate at Petauke, North-Eastern Rhodesia, that the number of natives found dead in his district has increased yearly and that the number killed by lions has also increased.

25*a*. The route was the old mail route from Fort Jameson to Feira and Salisbury. It is now deserted as a mail route and I believe the track is not hoed or freed from grass. The Administration of North-Eastern Rhodesia should be requested to have the track hoed once a year after the rains.

26. As regards (*g*):—There should be no objection on the part of the R.N.L.B. to this. The idea was originated in Nyasaland in connection with labourers recruited for the Transvaal. It was subsequently adopted by the Administrator of North-Eastern Rhodesia in a similar connection and, later, also applied to natives recruited in North-Eastern Rhodesia for work in Southern Rhodesia. The object of the scheme is to prevent the native spending the whole of his wages during the term of his employment and returning empty-handed to his relations; it being realised that for him to do so offers no inducement to other natives to seek work when they can see no material result accruing from so doing. Another reason is that the labourer does not require, while working, the full amount of his wage, which, if spent, is, to a certain proportion, spent unprofitably.

27. Some objection to such a scheme might be raised by planters and others in Nyasaland, either individually or through the Blantyre Chamber of Commerce, on the ground that sufficient labour cannot be obtained for their plantations. Such objections would be obviated if the Pass Officers suggested above were made centres for sending labour to the Shiré Highlands, and I have every reason to think that natives could be induced to sign on for periods of 12 months' work, which would get

over the difficulty of the shortage of labour in the rainy season which has hitherto occurred yearly in the Shiré Highlands.

28. Such an arrangement would, I feel sure, prove highly satisfactory to the planters and other employers of labour, to the natives, and to the Government, and would do away with private recruiting or touting, which I consider unsatisfactory to the natives and to the District Residents in charge of them.

29. I am prepared to submit a detailed scheme if it be considered desirable.

30. It is well known, moreover, that it is only during the rainy season (November to March) that a scarcity of labour exists in the Shiré Highlands, and that in the dry season many thousands of Nyasaland labourers cannot obtain employment.

31. This glut of labour in the dry season is becoming very serious. It might be lessened perhaps by excluding the four or five thousand natives who annually come into the Shiré Highlands from adjoining Portuguese territory lying to the west of the Shiré River. This could be done by the promulgation of a Proclamation to regulate the admission of alien natives into Nyasaland and provide for the supervision of such natives whilst residing in that territory.

32. A Proclamation (No. 19 of 1904) for a similar purpose in the case of Barotziland (North-Western Rhodesia) was published in the "Official Gazette" of the High Commissioner for South Africa on the 12th of August, 1904.

33. The Portuguese natives annually take large sums of cash out of Nyasaland into Portuguese territory to the loss of the Hut-tax Revenue and the Customs Revenue of Nyasaland, amounting to many hundreds of pounds, and at the same time thousands of Nyasaland natives are unable to earn the money necessary to pay their taxes.

34. The glut of labour is likely to be greater in the future now that the railway works are practically completed.

35. I have perhaps entered into matters which do not appear to bear directly upon the questions of the employment of Nyasaland natives in Southern Rhodesia and of improving the conditions under which they find their way to Southern Rhodesia, but I considered it better to refer to them, as tending to show the difficulty Nyasaland natives (especially those of the Lake Province) have in finding employment within the borders of Nyasaland. This difficulty is tending to increase as the area under cultivation by Europeans is likely to be less in 1908 than in 1907 and 1906.

36. Finally, I beg to suggest that—in order that I may be able to report more in detail upon the actual conditions under which Nyasaland natives work in Southern Rhodesia, and upon their journey overland viâ Fort Jameson and Feira—I may be directed to make an official visit to the mines and other properties in Southern Rhodesia and submit a full report as I did in 1903 to the Secretary of State for Foreign Affairs upon the conditions under which Nyasaland natives worked in the mines of the Transvaal.

37. Such a journey would cost from £100 to £150—a small sum when the importance of the subject is considered as effecting the welfare of many thousands of Nyasaland natives, and also affecting the Hut-tax Revenue of the Nyasaland Protectorate.

Should it be desired, I shall be very glad to have an opportunity of elucidating any point upon which I may not have expressed myself with sufficient fulness or clearness. In this connection I may mention that I am leaving England on the 27th of December on my return to my duties in Nyasaland.

J. Chas. Casson,
Superintendent of Native Affairs, Nyasaland.

London,
November 23, 1907.

No. 48.

The SECRETARY OF STATE to the ACTING GOVERNOR OF THE NYASALAND PROTECTORATE.

Sir,
Downing Street, December 3, 1907.

I have the honour to acknowledge the receipt of Major Pearce's despatch of the 9th of October,[*] in which he represented that there was a surplus of native labour available in the Nyasaland Protectorate, and suggested an arrangement with the Administrator of Southern Rhodesia with a view to the supply of labourers to the Rhodesian mines.

2. By this time you will have received my despatch of the 16th of August,[†] in which I asked for certain reports and for recommendations for improving the present unsatisfactory condition of the emigration of natives from North-Eastern Rhodesia in search of work further south. In making your observations on that subject you will, no doubt, indicate the lines on which you would propose to proceed for the protection of Nyasaland natives in the same circumstances, and I shall hope to have your views thereon before I deal further with the question of the supply of Nyasaland labour to Southern Rhodesia. I shall, in the meantime, obtain the observations of Sir Alfred Sharpe on a report which Mr. Casson has written on the subject, and shall hope to address you further by the mail of the 27th of December.

3. I may, however, at once take the opportunity of commenting on the fifth paragraph of Major Pearce's despatch, where he states that the application of the Rhodesian Native Labour Bureau for permission to recruit in Nyasaland was refused last year on two grounds, one of which was that the Protectorate ought to have some benefit in return. If, however, as would now appear to be the case, the need of an outlet for Nyasaland labour is more urgent than is the demand of other territories for that labour, the Administration of the Protectorate is no longer in a position to insist on a reciprocal benefit, whether by way of customs concessions or otherwise, and must be content to secure the advantages of employment for the labourers.

4. The other ground on which the application was refused was that it should have come from the Administration of Southern Rhodesia and not from a private association. I am disposed to agree that it is desirable that the Southern Rhodesia Administration should be in some way responsible for the arrangements made, but it would be contrary to the policy which has hitherto been pursued in that territory for the Government to act directly in the importation of native labour in the manner which seems to have been contemplated. In any further negotiations which may take place you will, no doubt, bear in mind that the Rhodesian Native Labour Bureau is a responsible body, and is sufficiently under the control of the Administration of Southern Rhodesia to justify you in permitting it to recruit in Nyasaland, provided that you can make satisfactory arrangements with the Rhodesian authorities in regard to the supervision of its operations in their territories and generally as to the treatment of the natives while at work.

I have, &c.,
ELGIN.

No. 49.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD,
Downing Street, December 6, 1907.

WITH reference to my despatches of the 28th of September and the 10th of October,[‡] I have the honour to state, for the information of your Ministers, that the Administrator of the Nyasaland Protectorate has forwarded to me a copy of a report by the Medical Officer of the Witwatersrand Native Labour Association on the Protectorate natives employed on the Premier Mine, from which it appears that the death-rate among these natives for the six months up to August last was at the rate of 113 per 1,000 per annum.

I have, &c.,
ELGIN.

No. 50.

COLONIAL OFFICE to SIR A. SHARPE.

[*Answered by No.* 53.]

SIR,
Downing Street, December 10, 1907.

WITH reference to your letter of the 3rd of November,[§] I am directed by the

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[*] No. 45.

[†] No. 34.

[‡] Nos. 41 and 42.

[§] No. 43.

Earl of Elgin to transmit to you, for your consideration, the accompanying copy of a letter* which has been received from Mr. J. C. Casson enclosing a report on his recent enquiry into the conditions of labour of natives of Nyasaland in Southern Rhodesia.

2. Lord Elgin doubts whether it is advisable to establish a Government Department in Nyasaland for exporting labour unless and until it is quite certain that the object of controlling the emigration of labourers with a view to improving their condition cannot be attained in any other way. He wishes, therefore, to be assured whether the Rhodesian Native Labour Bureau could not, and would not, take any necessary steps in the matter, of course under Government supervision, and, if the Bureau cannot carry out the work, whether it would not be possible to organise a body in Nyasaland on the same general lines as the Bureau. You will observe that in paragraph 27 of his report Mr. Casson suggests that his proposed Government Bureau should disarm local opposition by collecting labour for Nyasaland planters, and it appears to Lord Elgin that it would be possible for the planters to form a bureau of their own, under efficient Government supervision, which would hand over surplus labour to Rhodesia as Rhodesia hands over surplus labour to the Rand.

3. In view of Mr. Casson's report, Lord Elgin considers that it is desirable that the Government of Nyasaland should insist on the seconding of an experienced officer of the Protectorate service to help the Native Department of Southern Rhodesia, on the understanding that the cost of the arrangement will be borne by the Rhodesian Native Labour Bureau.

4. When some definite arrangement has been made with the authorities in Rhodesia, it will probably be necessary for Mr. Casson to be sent officially to visit the Rhodesian mines, but for the present it is doubtful whether any good purpose would be served by doing so.

5. Lord Elgin observes that Mr. Casson states in his letter that he is hampered in the proper performance of his duties by the absence of clerical assistance at headquarters, with the result that the pressure of work in his office causes him to neglect travelling. His Lordship considers this most regrettable, and it will be necessary to consider whether a clerk should not be appointed to assist Mr. Casson.

6. His Lordship will be glad to be furnished with your views on these points and, generally, on the proposals contained in Mr. Casson's report. I am, however, to point out that, as it appears that the need for an outlet for Nyasaland labour is now more urgent than the demand of other territories for that labour, the Administration of the Protectorate must be content to secure the advantages of employment for the labourers, and is no longer in a position to insist on a reciprocal benefit, whether by way of customs concessions or otherwise.

7. I am to request that you will at the same time inform me whether you are prepared to recommend that the extra expense referred to in paragraph 15 of the report should be refunded to Mr. Casson.

8. As his Lordship desires to communicate with the Acting Governor by the mail of the 28th of December, he will be glad if you will reply to this letter at an early date.

I am, &c.,
C. P. LUCAS.

No. 51.

COLONIAL OFFICE to Mr. J. C. CASSON.

Sir, Downing Street, December 10, 1907.

I am directed by the Earl of Elgin to acknowledge the receipt of your letter of the 25th of November,* and to convey to you his Lordship's thanks for your interesting and valuable report on the condition of natives of Nyasaland proceeding to and working in Southern Rhodesia.

I am, &c.,
C. P. LUCAS.

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* No. 47.

No. 52.

Mr. J. C. CASSON to COLONIAL OFFICE.

(Received December 11, 1907.)

Sir, 42, Elm Park Road, Finchley, N., December 10, 1907.

I have the honour to acknowledge receipt of your letter, dated the 5th December, 1907,* informing me that the death-rate of Nyasaland natives at the Premier Mine has been *for a period of six months* at the rate of 113 per 1,000 *per annum.*

2. I venture to think that the death-rate will work out at a considerably lower figure at the end of the *period of one year*, as those who have succumbed are, in all probability, the weakest of the gang and the remainder had, at the end of the six months completed, already passed through the cold season; deaths amongst them are not, therefore, so likely to occur during the last six months.

3. My suggestion, however, was confined to natives who have already served a period of 12 months in the Transvaal mines and returned to Nyasaland, thereby proving, to a large extent, their fitness for the work and climate.

I have, &c.,
J. CHAS. CASSON.

No. 53.

Sir A. SHARPE to COLONIAL OFFICE.

(Received December 14, 1907.)

Sir, London, December 13, 1907.

I have the honour to acknowledge the receipt of your letter of the 10th of December,† dealing with the subject of the annual exodus of native labourers from the Nyasaland Protectorate to various parts of Rhodesia in search of work, and transmitting to me a copy of a letter from Mr. J. C. Casson, enclosing a report on his recent enquiry into the conditions of labour of natives of Nyasaland in Southern Rhodesia.

Since I wrote to you on the 3rd of November,‡ I have had the opportunity of ascertaining, roughly, the views held by the Chartered Company on this "alien labour" question, and of meeting Mr. Codrington, the Administrator of North-Western Rhodesia (formerly the Administrator of North-Eastern Rhodesia), who has an intimate knowledge of the conditions attending the annual emigration of Nyasaland native workers.

I find that the Chartered Company are ready to come to some arrangement with the Protectorate Government for the regulation of the passage to and fro of workers, and that Mr. Codrington is strong on the point that Government supervision is required in the interest of the natives.

The main views expressed by Mr. Casson in his report are correct, but some of the detailed proposals made by him would be inadvisable.

I think that perhaps the best way of getting the matter settled with as little delay as possible, will be for me to go into the whole question with Mr. Codrington. I believe I am right in saying that the Directors of the Chartered Company will be content to accept and carry out such propositions as Mr. Codrington agrees to. When we have arrived at an agreement as to what is practicable and workable, and acceptable both to the Administrations of Rhodesia and the Protectorate, the details of such agreement could be placed before the Secretary of State for his approval.

It is not a matter in which we can lay down drastic conditions. What is required is a proper supervision of the existing traffic and an amelioration of the conditions attending it. Nyasaland natives *will*, in any case, find their way south in search of highly-paid work, and it will not be difficult to arrive at a simple and easily workable system to regulate such traffic.

From discussions I have had with Mr. Codrington during the past few days, we are practically in agreement. I am now supplying him, through Mr. Casson.

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* Not printed. † No. 50. ‡ No. 43.

with the details of the system of collection and transport of Nyasaland natives to the Transvaal; and on Monday next (the 16th of December), we should be able to give a precise statement of what is proposed.

To refer to your letter of the 10th of December,* the following is a rough sketch of the manner in which I propose to deal with the question:—

(1) There will be no "recruitment" in Nyasaland of natives to work in Rhodesia. No recruiters will be allowed, nor will any system of "touting" be countenanced. It is not desirable that Nyasaland should be used as a touting ground for labour outside. All that is needed is to provide proper transport, proper treatment, food, pay, and care, for such Nyasaland natives as insist on going outside

(2) District Magistrates will act, with regard to natives wishing to go to Rhodesia, in the same way as they now do in the case of men desiring to go to the Transvaal; that is, they will receive parties of men who desire to go south, make out the lists, examine them for general suitability, and forward them to the receiving depôt, which should be at Fort Jameson.

(3) On arrival at Fort Jameson with lists and "passes," the men will be received by the Agent of the Rhodesian Government, who will have a strict medical examination for fitness carried out. They will then be forwarded by the direct road to Broken Hill, where they will reach the railway.

(4) Food and shelters will be provided at proper stages along the road (by the Rhodesian Government).

(5) At Broken Hill a second examination for fitness will be made, after which the men will be sent by rail to Southern Rhodesia.

(6) In Southern Rhodesia Mr. Codrington proposes that the "alien" labour of all kinds shall be received by a Rhodesian Government Officer (to be provided with a department if necessary), to deal with this work. He is opposed to placing "alien" labour in the hands of any labour bureau or Chamber of Mines.

(7) At Fort Jameson every man will be provided with a blanket for the journey. A second blanket to be issued on arrival at the scene of labour.

(8) The pay to be given will be set out in the agreements attached to the lists of names, and will be at current rates (which are, I believe, about 15s. a month).

(9) Only half the pay will be given while at the scene of work, the remaining half being held over, and eventually paid the men on arrival at their homes in Nyasaland. This is essential; it does away, to a great extent with the necessity for returning labourers carrying considerable sums of money on their persons; and also assures their return to their villages with some means..

(10) The Rhodesian Government will defray all the cost of transport, food, &c., from the Protectorate to Rhodesia, and back again, and will make arrangements with the employers for their own reimbursement. The labourer will pay nothing (his two blankets will be issued gratis).

(11) The term of service will be for 12 months..

(12) All the conditions will, of course, be fully explained to the men by the Magistrate when they are "written down" (as is done in the case of labourers going to the Transvaal).

(13) The Rhodesian Government will be responsible to the Nyasaland Government for the payment of wages earned, and for proper care of the men on their journeys; and will see to the insistance in Rhodesia on proper treatment by employers, medical attention, and other details.

With reference to paragraph 2 of your letter, I do not propose that there should be any Government Department in Nyasaland to deal with outgoing labour. This, as with labour for the Transvaal, will come under Mr. Casson's Department.

I am of the same opinion as Mr. Codrington, that it would be inadvisable to put powers with respect to Nyasaland or Northern Zambesi labour in the hands of any independent bureau or chamber in Southern Rhodesia.

The establishment of an independent labour bureau in the Nyasaland Protectorate has already been tried. A bureau existed for some time; the experiment did not turn out satisfactorily, and the association has now ceased to exist.

At one time the Government of Nyasaland collected labour for local planters. This system was abolished a few years ago, and I should not myself propose to revert to it, at this date at any rate.

With reference to paragraph 3, it would undoubtedly be of advantage to Rhodesia and to the Protectorate if an experienced officer from Nyasaland were seconded to assist the Native Department in Southern Rhodesia; provided that the Government of that territory were willing to pay the cost (which, I think, is doubtful).

I do not see any necessity for another visit by Mr. Casson to Rhodesia at present.

With regard to paragraph 4, Mr. Casson has not hitherto made any complaint to me that he is hampered in his work for want of clerical assistance; but I will look into this on my return to Nyasaland in February, and should I then find any necessity for the appointment of a clerk, I will commuicate with you on the subject.

Referring to paragraph 6, I do not propose to ask the Rhodesian Government for any concessions in return for an increased labour supply. I agree with the view you express, that what is wanted is an amelioration of the present conditions of Nyasaland labour emigration, and that the advantages to the Protectorate by the establishment of a workable system are as great as to Rhodesia.

In reply to paragraph 7, I think it would be reasonable that Mr. Casson should be repaid such additional expenditure as he may have incurred on his journey home, owing to his having taken the overland route to the Cape. I consider that it showed some enterprise on his part, and indicated zeal in his work to carry out at his own expense the journey he undertook, without any prospect of being recouped his additional expenditure.

I have, &c.,
ALFRED SHARPE.

No. 54.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received December 28, 1907.)

[*Answered by No.* 57.]

MY LORD, Governor's Office, Johannesburg, December 9, 1907.

WITH reference to your despatch of the 28th of September,* I have the honour to transmit to you the accompanying copy of a minute which I have received from Ministers on the subject of the recruiting of native labour for the mines from the British Central Africa Protectorate and North-Eastern Rhodesia.

2. In further explanation of paragraph 2 in Ministers' Minute, I would draw your attention to the fact that, although the statistics have shown a lower rate of mortality among natives recruited from British Central Africa and North-Eastern Rhodesia employed on surface work than those employed underground, it has never yet been admitted by the authorities as a certain fact that surface work is healthier to these natives than underground labour. It was assumed rather that the low rate of mortality among the natives employed on the Premier Mine and on surface work on the Witwatersrand mines was possibly due to the fact that many of them had been for some time on the Witwatersrand, and had, therefore, become to a certain extent acclimatised, and that when an influx took place of natives direct from Central Africa a higher rate of mortality might be looked for. This assumption I regret to say has been fully justified. A very serious epidemic of pneumonia has broken out of late on the Premier Mine which has caused the rate of mortality to rise very considerably on that mine, and has resulted in the figures of the rate of mortality for 1907 being higher than those of 1906 among natives from tropical regions north of latitude 22° employed on the Witwatersrand and Premier mines.

3. In order to ascertain so far as possible the causes which have occasioned this outbreak of pneumonia on the Premier Mine, Ministers have given instructions

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* No. 41.

for an enquiry to be made by a medical board. I hope to be able to forward to your Lordship the report of this Board shortly.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 54.

MINISTERS to GOVERNOR.

(Minute. No. 650.)

Prime Minister's Office, Pretoria, November 29, 1907.

Ministers have the honour to acknowledge the receipt of His Excellency the Governor's Minute, No. 50, of the 17th October, enclosing a copy of the Secretary of State's despatch, dated the 28th September, 1907, in reply to Ministers' further representations upon the subject of the recruitment of native labour in the British Central Africa Protectorate and North-Eastern Rhodesia for underground work on the mines.

Although the mortality from disease amongst natives employed on the Premier Mine formerly contrasted favourably with the general death-rate amongst labourers on the gold mines, it has unfortunately risen of late, owing, chiefly, to an increase in the deaths from pneumonia—especially amongst the Basutos from Basutoland. Under the circumstances, it may reasonably be assumed that the mortality amongst the British Central African natives would not have been any higher—if, indeed, as high—had they been employed upon underground work at the gold mines instead of the Premier Mine.

Attention is drawn to the fact in order to show that surface work and conditions such as are to be found on the Premier Mine cannot be admitted as absolutely reliable factors in considering the incidence of disease amongst mine employees.

Ministers fully realise that the mortality amongst natives from tropical areas has been, and still is, very high, but, having regard to the marked improvements which are shown to have taken place in the general rate, they feel justified in urging the views expressed in their previous minutes of the 10th July and 19th August, 1907.

During the last five years the rate of mortality has been as follows:—

Average for the year 1903	71·3
,, ,, ,, 1904	43·4
,, ,, ,, 1905	47·4
,, ,, ,, 1906	34·7
Average for the first nine months of 1907	33·95

As the natives north of latitude 22° are living more or less in fever-stricken and otherwise unhealthy localities, it is only reasonable to suppose that the death-rate amongst them in their own kraals may not bear favourable comparison to the death-rate on the Witwatersrand Mines, where the labourers are provided with better accommodation, a superior dietary, close medical supervision, and where every attention is paid to their health conditions generally.

It is unfortunate that no data are available upon which any reliable estimate can be formed as to the actual mortality amongst such natives in their homes, but in all probability it is considerably in excess of what may be regarded as a normal rate.

Emphasis is laid by the Secretary of State upon the desirability of employing tropical natives in surface work. Whilst it is desirable that this should be done as far as practicable, Ministers wish to point out that the number of natives required for surface work is considerably less than those for underground work, and the supply far exceeds the demand.

Including the Premier Mine, but excluding the labour districts of Heidelberg, Klerksdorp, and Vereeniging, the numbers actually employed during September were 37,804 surface, and 79,743 underground. The proportion is, therefore, about 1 to 2.

Large numbers of Chinamen will be repatriated during the next 12 months—practically all of whom are employed underground. The immediate demand for underground labour, therefore, will be considerable, and it is with the object of meeting that demand that the Government is anxious to open up for development every possible source of the local labour supply.

It has hitherto been assumed that the working conditions on the surface are very much healthier than underground.

With a view to testing the correctness of that assumption, the enclosed return has been prepared showing the number of labourers employed underground and on surface work, and the relative mortality amongst them during September last, which is one of the most favourable months for surface employment.

It is to be regretted that no records are available for a similar return to be compiled for a period of 12 consecutive months, so that a comprehensive comparison might be drawn between the rate of mortality above and below ground throughout the varying seasons of the year.

While there seems to be little doubt that underground work is unhealthy, owing to bad air, fumes from explosion, and dust encountered in the mines, in addition to the fact that the sudden change of temperature experienced by rapid transfer from underground to the surface, must render natives who have ceased work, and the pores of whose skins are extended, liable to contract colds and pulmonary diseases, it must be borne in mind that the greater percentage of natives who work underground come from Portuguese East Africa, south and north of latitude 22°, and from the Northern Transvaal, and being accustomed to a tropical or sub-tropical climate, must be less acclimatised than those who hail from the Colonies in British South Africa, and who constitute the majority of surface workers. On the other hand, if the positions were reversed, and the acclimatised natives placed underground, while those from tropical and sub-tropical regions were confined to the surface, there would doubtless occur a diminution in the underground death-rate with an increase in the surface rate.

Some medical authorities believe that *during the winter months* tropical natives would be healthier underground than on the surface, if placed on picked mines of the outcrop class.

The death-rate among tropical natives might be reduced if arrangements could be made to place them in selected mines where conditions are most favourable, and if outcrop and deep level mines where conditions are such that the labourers are not unduly exposed between shaft head and compound, could be induced to accept all tropical natives obtained, it is probable that a further decrease in the death-rate would result.

Ministers are glad to have noticed of late a greater willingness on the part of many natives to work underground, and they feel assured that all reasonable efforts are being made by the representatives of the mining industry to overcome the objections to such work, and to make the conditions more attractive.

With this assurance, Ministers would like to submit the following observations upon the conditions which are suggested in the sixth paragraph of the Secretary of State's despatch for safeguarding the health of any natives who may be permitted to be recruited in the British Central Africa Protectorate and North-Eastern Rhodesia:—

(1) The period of three months during which it is proposed that the natives should not be allowed to work underground is so long as to make the proposal economically impracticable. One month would appear to afford sufficient time for the medical officers to decide whether the natives are physically able to undertake such work. It is to be borne in mind that the contracts are for 12 months only, and if as much as one-fourth of that term is to be restricted to surface work at the expense of the mines, the companies could ill afford to have the labour.

(2) Underground labourers always have been paid at a higher rate than those engaged on the surface. The ruling rates to-day are approximately 1s. 10d. per diem underground and 1s. 6d. per day surface.

(3) and (4) The unavoidable fluctuation in the mortality rates would render it impossible to lay down a hard and fast rule providing for relief from underground work according to a definite death-rate per 1,000.

The difficulty of applying such a rule will at once be seen from the following mortality figures relating to natives from tropical regions north of latitude 22°:—

DEATH-RATE.

1906:—	
May	70·3
June	44

	July	67·1
	August	57·6
	September	47·8
	October	46
	November	79
	December	50·8
1907:—		
	January	68·1
	February	84·8
	March	94·6
	April	76
	May	88·4
	June	67·6
	July	79·5
	August	57
	September	53
	Total average	66·85

To place the labourers on and off underground labour according to such varying rates would obviously result in such a serious dislocation of the work as to render it impossible for the mining companies to accept the proposal as a business proposition.

The suggestion of the Secretary of State is based upon the impression that the variation in the death-rate is owing to an excessive mortality amongst labourers underground, but, as Ministers have already pointed out, it is not possible, in the absence of sufficient data, to ascertain to what extent that impression may be correct.

An investigation is being made into the health conditions on the Premier Mine, on the completion of which Ministers will submit a further communication to His Excellency upon the subject.

The suggestion made in the Secretary of State's further despatch, No. 377, of the 10th October to the effect that it might afford an additional safeguard towards their health if the underground employment of natives from British Central Africa were restricted to day shifts only, is being enquired into, and will be adopted as far as practicable.

The proposal that, in the event of recruiting being resumed, it should be confined in the first instance to natives who have already worked on the mines will also be taken into careful consideration.

LOUIS BOTHA.

STATEMENT.

Showing the relative rates of mortality among natives employed underground and on the surface on mines and works in labour districts during the month of September, 1907.

District.	Underground.			Surface.		
	Average No. of Natives Employed.	Deaths from Disease.	Death Rate per 1,000 per annum.	Average No. of Natives Employed.	Leaths from Disease.	Death Rate per 1,000 per annum.
Johannesburg	33,108	71	25·7	9,399	9	11·5
Krugersdorp	19,686	40	24·4	5 978	15	30·1
Boksburg	9,097	28	36·9	4,858	5	12·4
Germiston	12,640	39	37·0	6,305	5	9·5
Springs	1,510	5	39·7	899	2	26·7
Pretoria	—	—	—	9,022	35	46·6
Middelburg	3,702	9	29·2	1,343	2	17·9
Total	79,743	192	28·9	37,804	73	23·3
Exclusive of Premier Mine		... ...	... ...	28,782	38	15·8

The labour districts of Heidelberg, Klerksdorp, and Vereeniging are not included in this statement.

Ratio of natives employed underground and surface as 79,743 is to 37,804, or about $2\frac{1}{8}$ to 1; excluding Premier Mine, the ration is about $2\frac{11}{14}$ to 1.

Native Affairs Department,
Transvaal.

No. 55.

THE ACTING GOVERNOR OF THE NYASALAND PROTECTORATE to THE SECRETARY OF STATE.

(Received December 30, 1907.)

Government House, Zomba,
Nyasaland Protectorate, November 15, 1907.

MY LORD,

WITH reference to Your Lordship's despatch of 16th of August, 1907,* I have asked Mr. Wallace, the Acting Administrator of North-Eastern Rhodesia, to furnish me with his views on those particular points concerning which your Lordship desires information, and with reference to paragraph 5 of the above-quoted despatch, I desire to make the following observations:—

2. Since the enrolment of natives for work on the mines in the Transvaal has now ceased, it would be presumed that the number of natives who proceed south in search of work is now inconsiderable. I find, however, from the records furnished by the Secretary for Native Affairs that in 1906-7 passes were issued to natives allowing them to leave the Protectorate in search of work up to the number of 2,083, but 1,592 of these passes were issued to small gangs averaging four in number; the number of natives, therefore, who journeyed south in the above period in search of work would be approximately 1,592 × 4 = 6,368 + 491 individual passes, or a total of 6,859 natives who received permission to proceed to other parts of Africa in search of work. The Acting Secretary for Native Affairs further informs me that it may be safely presumed that an equal number left without passes. Accepting this presumption, it would appear that a total of nearly 14,000 labourers have proceeded south in search of work, concerning which number official records as to one-half only exist.

Of the registered natives, *i.e.*, about 7,000, it is known that 172 died during the past 15 months in Southern Rhodesia and four in North-Western Rhodesia—it may be presumed that a similar number of deaths occurred among the unregistered natives. There exists no machinery for the compulsory notification of the deaths of Nyasaland natives, but the matter is voluntary on the part of Native Commissioners in Rhodesia, as is also the remittance of sums found in possession of deceased natives to their relatives in Nyasaland.

3. The recruitment of natives for work underground in the mines in the Transvaal having been prohibited in British territory, and in the case of Southern Rhodesia no agreement having been entered into as to proper recruitment, a means has been evolved of avoiding the Protectorate Labour Regulations which forbid natives being engaged for service outside the Protectorate, except under permit issued by the Governor, and it is reported that European recruiters of labour can now be found in Portuguese territory who enlist large numbers of men for work in the mines or as labourers, and that natives of this Protectorate eagerly make their way to these recruiters and are sent down to the mines. These European recruiters it is stated receive 15s. per head for all natives they recruit and the occupation must be a lucrative one, since it is further reported that one recruiter has sent down some 4,000 men to the south. The native is undiscerning as regards one European and another, and no doubt is under the impression that he is being enlisted under the same conditions and with the same provisions for his journey overland as he was when enrolled by the agents of the Witwatersrand Labour Association. No provision whatever is, of course, made for his overland journey, and he undergoes the same hardships on the journey south as the man who goes south with or without a pass.

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* No. 34.

That labour in South Africa is exceedingly popular is indisputable, and that large numbers of natives from this Protectorate proceed south annually in search of work with and without passes is also beyond doubt.

4. Two questions naturally present themselves in view of the reports received as to the mortality which occurs among Nyasaland natives:—

(1) The feasibility of preventing the exodus of natives to South Africa entirely;

(2) Or the feasibility of only allowing those who are passed as medically fit to proceed south and to provide for such, suitable accommodation in the way of rest houses and food on the route.

As regard (1) I do not believe that any prohibition could be made practical. The establishment of a cordon, if such were feasible, would be useless, since a native who will walk many hundreds of miles to South Africa will readily go a few extra hundred miles to avoid such a cordon.

(2) Medical fitness before the issue of a pass is always possible to arrange for, but since it is presumed that only half the number who proceed south arm themselves with passes, such a guarantee is practically useless, unless this pass is the only means by which a native can obtain labour when he reaches his destination (this point, however, I will refer to later).

The question of accommodation and food by the way to South Africa is also quite feasible, provided that funds are provided for the purpose, but such funds must come from those who benefit by the labour they employ, and not from the revenues of this Protectorate. But under the pass system there is no record of who employs Nyasaland labour, and, therefore, no means of asking even for a voluntary contribution towards this object, even were such a contribution within the bounds of possibility.

It, therefore, remains to be said that prohibition is not feasible and medical fitness and proper housing and feeding is feasible, but not practicable under the present conditions.

5. Though I consider the prohibition to natives to travel south is not feasible in Nyasaland, I consider that such prohibition would be made effective by action in other places, provided that it were made an offence in South Africa to employ natives of this country, and if natives of this country were punished for endeavouring to obtain work in South Africa.

I am, however, of opinion that the employment of the surplus labour of this country is an advantage, and that there should be no prohibition, but that the pass system should be enlarged and that this Protectorate should insist upon some return for permitting its labour to proceed south, and that this return should be that all expenses of registration and medical examination should be borne by the employers, that for each native given a pass a sum should be guaranteed by the eventual employers for the expenses of medical examination and for the upkeep of rest houses, for food, and for clothing (blankets) for those natives who proceed south; and since employers now will give 15s. per head to the recruiting agent, it is probable that they would be prepared to pay a sum of £1 to £2 for each native registered and passed as medically fit, such sum to be laid out in providing rest houses, food, blankets for the road, and to go towards the cost of medical inspection and registration.

I think that the sum so earned should cover the cost of erecting and keeping in order rest houses, and in providing food by the road, and in inspection, &c., of rest houses.

6. In order to recover the sum due on each native of Nyasaland employed in South Africa, it should be made a punishable offence for any employer to employ a native of Nyasaland who did not produce a pass, and any system of registration of natives at their destination proceeding to South Africa on pass must include the payment of the sum due on each labourer to this Government.

Any labourer who returned from South Africa and on whose account £1 or the sum agreed had not been paid, should be liable to pay such a sum in Nyasaland unless it were proved that from illness or any other cause he was unable to procure work.

I would further stipulate that of the wages earned by Nyasaland natives, at least two-thirds should be made payable in Nyasaland. Such a system would be a check upon the pass issued.

7. I cannot myself see any other solution of the problem, and the above is an outline only of the suggestions. Many details will be necessary and the initial outlay necessary for this scheme requires that funds must be found; such funds should more properly be forthcoming from the employer of labour, but I doubt if they would see the argument in the same light unless pressure were brought upon them by the threat of total prohibition.

8. Under present conditions the native of Nyasaland, if recruited by the Witwatersrand Native Labour Association, is not permitted to work underground; if he proceeds on pass to the mines he is employed in such manner as his employer desires, and no doubt works underground.

Under the pass system it would be possible to stipulate that the bearer was only permitted to work above ground, but I doubt if such a proviso could be enforced, except by proper inspection and supervision at the mines.

9. The Acting Secretary for Native Affairs points out that of the 14,000 labourers who are presumed to have gone to South Africa in search of work this year, we have no knowledge as to where they are employed or in what manner they are employed.

10. There are still two points which have been from time to time raised in connection with the supply of labour from Nyasaland to South Africa; that in return for the supply of labour from Nyasaland, products from Nyasaland should be granted free importation into Southern Rhodesia as is done in the Transvaal. It does not seem to me that this condition should be made an essential, though Sir A. Sharpe has laid stress upon it. This country benefits in more than one way by the exportation of its surplus labour. Money for the payment of hut-taxes is earned. The trade of the country benefits by the sums expended by returning labourers who are paid a proportion of their wages in Nyasaland, and it seems to me, therefore, that the benefit is mutual. The concession has, however, been made by the Transvaal and it would seem, therefore, only right that Southern Rhodesia should make a similar concession.

11. The second point is that it should be an essential condition that Nyasaland natives should not be allowed to settle in Southern Rhodesia, and that the period of employment should not exceed 12 months.

12. The scheme as proposed would throw a considerable amount of work upon the district staff, but by good organisation it should be possible to arrange to despatch considerable parties of natives at one time during the most suitable season, and I am convinced that the labour entailed would be amply repaid by the advantage that would accrue to this Protectorate.

I have, &c.,
W. H. MANNING,
Acting Governor.

No. 56.

THE ACTING GOVERNOR OF THE NYASALAND PROTECTORATE to THE SECRETARY OF STATE.

(Received 6th January, 1908.)

[*Answered by No. 64.*]

Government House, Zomba,
Nyasaland Protectorate, November 20, 1907.

MY LORD,

WITH reference to paragraph 3 of your Lordship's despatch of the 16th of August, 1907, and my despatch of the 15th of November, 1907,* I now have the honour to transmit a copy of a report made by the Acting Administrator of North-Eastern Rhodesia dealing with the conditions under which natives of that territory engage for work in Southern Rhodesia.

2. I have carefully considered Mr. Wallace's report, and the conclusions arrived by him further emphasise the necessity for regulating the exodus of natives from Nyasaland and North-Eastern Rhodesia in the manner suggested in my despatch above mentioned.

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* Nos. 34 and 55.

3. I would draw your Lordship's attention to paragraph 8 of the report, in which it is stated that natives who have offered themselves for enlistment, and who, having been rejected as medically unfit and warned not to proceed, join their friends further along the route to Feira. It is extremely probable that these weaklings fall easy victims to disease when working in a strange climate and under different conditions to those to which they are accustomed, and since it seems impossible to prevent their leaving for Southern Rhodesia, the only way to reduce the high mortality is to make it a punishable offence in Southern Rhodesia to engage natives from Nyasaland and North-Eastern Rhodesia unless they are in possession of a pass from those territories, which in itself will constitute a medical certificate.

4. With reference to the last part of paragraph 10 of the report, I do not think it would be sufficient to make it obligatory for natives to obtain passes before being allowed to cross the border, unless at the same time it were made impossible for a native to obtain work on arrival in Southern Rhodesia without being in possession of a pass from his native territory. The uncontrolled emigration would then very soon cease.

I have, &c.,
W. H. MANNING,
Acting Governor.

Enclosure in No. 56.

ACTING ADMINISTRATOR, Fort Jameson, to GOVERNOR, Zomba.

YOUR EXCELLENCY, November 11, 1907.

WITH reference to His Majesty's Acting Commissioner's letter of 19th September last, I have the honour to forward the following report on the conditions under which natives of this territory engage for work in Southern Rhodesia, in accordance with the instructions contained in the Secretary of State's despatch of 16th August, 1907.

2. For many years natives living in the southern parts of North-Eastern Rhodesia have been in the habit of seeking work voluntarily in the mines of Southern Rhodesia, from which they were not far separated; and, as there seemed to be no reason for stopping this movement, the policy of the Administration was generally not to hamper the natives in seeking work where they wished, but rather to keep the roads open and safe for their passage to the mines. The emigrants knew the mines at which they wished to work and practically all the emigration was voluntary and without aid from any agents; travelling through the country was not a new experience to them, and, acting on their own initiative and being capable of looking after themselves where there were Magistrates and Native Commissioners to hear their complaints, they had no grievances on their return. As the rumours of the money to be earned at the mines spread further inland, natives with less knowledge of the country to be travelled through commenced to go south for work. The more ignorant of these suffered some hardships, both on the journey and at the mines, where the climate was colder, the housing less comfortable, and the food supplied to them not that to which they were accustomed.

3. So long as the emigration was quite voluntary and whilst the Administration was hardly in a position to properly control or register it, it was considered better to leave it unhampered by regulation, but intending emigrants, if they wished, could always obtain from the Native Commissioners of their Districts passes which would identify them.

4. When, however, the question of recruiting natives for work at the mines was considered, a distinction was made between the voluntary emigration of natives who were under no agreement and who were free to accept work where they wished, and the assisted emigration of those who, by persuasion of a recruiting agent, accepted an agreement for a long term to work at any mine to which they might be sent. The Native Labour Regulations of 1905 were made chiefly in order to ensure protection for natives recruited under such agreements.

5. Except in the cases of a few Europeans who were allowed to recruit labourers whom they accompanied to the mines, there was no organized recruiting for work in Southern Rhodesia until the Rhodesian Native Labour Bureau, under an agreement made with Mr. Justice Beaufort on behalf of this Administration, commenced work at the end of 1906. A copy of the conditions imposed by the

agreement is attached. By the agreement, only the Rhodesian Native Labour Bureau were allowed to recruit men for work south of the Zambesi, and all of North-Eastern Rhodesia was open to them; but, owing to the proximity of sleeping sickness on the North-West, and the discovery of an imported case of this disease in the Awemba country, all recruiting was disallowed in August, 1907, except in the East Luangwa District.

6. The present conditions under which labourers may be recruited and sent from North-Eastern Rhodesia to Southern Rhodesia, therefore, are:—

(1.) They may only be recruited by the Rhodesian Native Labour Bureau for the Southern Rhodesia mines and only in the East Luangwa District.

(2.) They are medically examined at Fort Jameson by the Medical Officer of the Administration, and only those passed by him are allowed to enter into an agreement.

(3.) The agreement is made before a Native Commissioner, who explains its meaning to the recruits.

(4.) Food is provided by the Rhodesian Native Labour Bureau at Fort Jameson and along the road to Hartley where the accepted men are all sent for distribution to the mines. The arrangements for supplying food are satisfactory, and the bulk of the recruited men should, and probably do, arrive at their destination fit for work.

7. Since the commencement of recruiting, the agent of the Rhodesian Native Labour Bureau has sent to Southern Rhodesia 1,659 men, of whom 975 come from the East Luangwa District, 65 from Abercorn, 117 from Chinsali, 70 from Mpika, 52 from Luena, 69 from Fife, 16 from Serenje, 52 from Kasama, 15 from Mporokoso, 187 from Mirongo, 15 from Kalungwise—all in North-Eastern Rhodesia; 10 from the Nyasaland Protectorate, and 16 whose homes are unknown.

These recruits have been sent to the mines under the agreed conditions which have been carried out quite well, but the system has not been in work long enough to give reliable information as to the death-rate or percentage of sickness. Up to October, 1907, 59 deaths have been recorded.

8. The independent emigrants in search of work consist of (1) natives from near the border of Southern Rhodesia and from the East Luangwa District of North-Eastern Rhodesia; (2) a large number from the Nyasaland Protectorate, many of whom do not pass through North-Eastern Rhodesia at all; (3) a smaller number from the Northern Districts of North-Eastern Rhodesia; (4) a few from German East Africa; and (5) natives who have come to enlist, have been rejected as unfit and warned not to proceed, but who rejoin their friends further along the road, and either enlist at Feira, where there is no Medical Officer, or obtain from the nearest Southern Rhodesia Pass Officer passes enabling them to seek for work. If a Medical Officer were stationed at Feira with power to turn back all those who were physically unfit, these would simply avoid Feira altogether and cross the Zambesi into Portuguese territory.

9. Efforts have been made to induce natives to go to Southern Rhodesia under agreement with the Rhodesian Native Labour Bureau (see annexed extract from Mr. Codrington's speech to natives assembled at Government House on 30th March, 1907), but those natives who have been down before, and those who go with them, do not avail themselves of the offer to be directed to work and to be found food on the journey. The reputations of the different mines for fair treatment vary considerably, and the men prefer to apply direct to the mines they know than to submit to an agreement for a long term, perhaps on a mine of which they have heard bad reports.

10. The Native Labour Regulations of 1905 placed no restrictions on independent emigration and, as the border can be crossed at any point, it is very difficult and almost impossible for this Adminstration alone to prevent it, so long as the inducement of work at the mines is held out to the emigrants, and so long as, when once across the border, they simply have to apply to the nearest Pass Officer for passes to seek for work.

If, however, it were made obligatory in North-Eastern Rhodesia for natives to obtain passes before leaving the territory, they would, unless provided with such passes, be prevented by Section 3 of the "Natives' Pass Ordinance, 1902," of Southern Rhodesia from entering that country, the inducement to go down without passes would be removed and the whole of the independent emigration from North-Eastern Rhodesia could, with the aid of Southern Rhodesia, be completely controlled.

I have, &c.,
L. A. Wallace,
Acting Administrator.

Conditions of Recruiting and Service under Permit dated 12th July, 1906, granted to the Rhodesian Native Labour Bureau to recruit natives of North-Eastern Rhodesia for service in the Southern Rhodesia mines.

Conditions of Recruiting.

1. Any agent employed by the Bureau to recruit labour shall be approved by the Administrator.

2. Upon his arrival in any district in which he intends to recruit, every such agent shall forthwith notify the nearest Native Commissioner of such arrival and of the localities in which he desires to recruit.

3. Every such agent shall comply with all lawful and reasonable requirements of the Native Commissioner while employed in recruiting.

4. The length of service for which natives may be recruited shall not be less than six and shall not exceed twelve months.

5. The conditions of service shall be those endorsed on the certificate of agreement and signed by the Native Commissioner before whom the native contracts (annexure A).

6. Every native volunteering for service shall be brought before the Native Commissioner of the division in which he has been recruited, who shall thoroughly explain to him the nature of work required and the conditions of service endorsed upon the certificate of agreement. The native must then state in an audible tone that he understands the nature of work required and the conditions of service, and that he is prepared to proceed to Southern Rhodesia for service upon the said conditions. The certificate of agreement shall then be signed in triplicate by the Native Commissioner. The stamped copy shall be given to the agent of the Bureau, another copy shall be given the native, and the third shall be retained by the Native Commissioner of the division in which the men were engaged.

7. The Rhodesia Native Labour Bureau shall bear the cost of the agreement stamp.

8. Lists shall be prepared in duplicate of all natives in respect of whom certificates of agreement have been issued. One copy shall be forwarded to the Secretary for Native Affairs, the other copy shall accompany the natives to Southern Rhodesia and shall be checked with the natives by an officer of the Rhodesia Native Labour Bureau. A statement shall be rendered to the Secretary for Native Affairs of the numbers of natives that have arrived and the destination of those employed, and of the names of those who are missing and of those who are not finally taken on for work owing to ill-health or other cause, in respect of whom provision shall be made for the return journey to that part of North-Eastern Rhodesia in which they were engaged.

9. Every native shall be examined by a Medical Officer before he is allowed to leave North-Eastern Rhodesia at the cost of the Rhodesia Native Labour Bureau.

10. The natives shall be recruited for work on the Southern Rhodesia mines only.

11. In the event of the death of any native during his period of service, any balance of pay due to him shall be paid to the Secretary for Native Affairs for the benefit of his relatives. Any money in the possession of the deceased and the proceeds of the sale of his effects shall be transmitted in like manner.

12. All recruiting and emigration of labour in North-Eastern Rhodesia shall be subject to "The Native Labour Regulations, 1905," and to all rules made thereunder, and to such rules and regulations as may be in force in Southern Rhodesia from time to time relating to the immigration and employment of native labour.

13. The members of each tribe shall be accompanied by a capitao (appointed by the Native Commissioner of the division in which the natives are recruited), who shall receive suitable pay for looking after the natives and whose duty shall be to bring to the mine manager or other authority any complaints. Such capitaos shall not be required to perform manual labour; they may, however, be required to perform

such duties as are enumerated on their certificates of agreement (annexure B). The number of labourers entrusted to supervision of each capitao shall be at the discretion of the Native Commissioner. It is understood, however, that, as far as possible, there shall be one capitao to one hundred men.

14. The Bureau shall provide for the conveyance of the natives from their home to the mines and back again at the conclusion of their term of service. This provision shall include suitable railway accommodation where possible.

15. A native may either engage to serve as a surface labourer (in which case he shall not receive less than sixpence a day) or he may engage to serve as an underground labourer (in which case he shall be paid at the rate of not less than ninepence a day for day work and at the same rate for piece work if the task allotted for piece work be completed, but, if not completed, then the pay shall be in such proportion of ninepence as is equivalent to the proportion of the task completed). All underground labourers shall, however, be paid at the full rate of ninepence either for day or piece work for sixty days after they commence work in any event. If more than one task of piece work is completed by any native on the same day he shall be paid for the extra proportion completed. Any native who, having contracted to serve as a surface labourer is afterwards found fit and is employed with his consent as an underground labourer, shall receive the pay of an underground labourer. One-third of the minimum pay agreed upon shall be paid to him at the mines, and any extra pay or gratuity over and above what was agreed upon shall be paid to the native at the mines; the remaining two-thirds shall be remitted to the Secretary for Native Affairs to be paid to him on his return to North-Eastern Rhodesia.

16. The Secretary for Native Affairs will render to the Rhodesia Native Labour Bureau a statement of his requirements in respect of the deferred pay due to natives employed at the mines, and, in cases where required, of such compensation as he may give under Section 5 of the conditions of service, and his request for the necessary remittances under those heads shall be complied with. The value of any Hut Tax due by any native engaged shall be deposited with the Native Commissioner by the agent of the Rhodesia Native Labour Bureau at the time and place of engagement which will be taken into consideration by the Secretary for Native Affairs in stating his requirements as above. Such agent's order on the Rhodesia Native Labour Bureau for such amount will be accepted by the Native Commissioner.

17. Every native shall be offered repatriation, and shall receive food for the journey and a free passage over the railway to Broken Hill, Mwomboshi, or Hartley, when possible.

18. Any native being discharged as unfit for work under medical certificate before the completion of his contract shall be entitled to repatriation in the same manner as a native who has completed his contract. But should such native, after being certified by a Medical Officer as fit to travel, refuse to return to North-Eastern Rhodesia forthwith, the Bureau is to be under no further responsibility except to inform the Secretary for Native Affairs, and the native would be entitled to no compensation under Section 5 of the Conditions of Service.

19. A monthly statement shall be rendered of all casualties, and a death certificate or other official document shall be forwarded by the Bureau to the Secretary for Native Affairs.

20. A blanket shall be issued to each native engaged. Such issue shall take place at such a place as may be hereafter agreed upon. The cost of such blanket shall be deducted from the native's deferred pay.

Conditions of Service.—A.

1. Employee undertakes to work for months at such mine in Southern Rhodesia as the Rhodesia Native Labour Bureau shall direct. The period of service shall date from the date of arrival at such mine.

2. Employee undertakes to work as a underground / surface labourer in accordance with the terms as contained in Sections 15 and 16 of the Conditions of Recruiting, and explained to him by the Native Commissioner at the time of engagement. One-third of the pay as agreed upon shall be paid to him while serving at the mines

and two-thirds shall be remitted to the Secretary for Native Affairs, Fort Jameson, for payment to the employee on his return to North-Eastern Rhodesia after completion of service. Any extra pay or gratuity over and above what was agreed upon shall be paid to the native at the mines. In case of death any balance of pay due to employee shall be remitted to the Secretary for Native Affairs for payment to his next of kin.

3. Free rations of the standard quantity and quality usual in Southern Rhodesia shall be issued to employee during engagement and during the journey to the mines and back to that part of North-Eastern Rhodesia in which he was engaged.

4. Employee shall be entitled to free medical attendance and hospital accommodation.

5. The passage of employee and expenses connected therewith by rail and road to the mines and back to that part of North-Eastern Rhodesia in which he was engaged shall be arranged by the Rhodesia Native Labour Bureau. In case employee is invalided on medical certificate before expiration of engagement, the Bureau also undertakes to provide a return passage free of charge. If employee is invalided on medical certificate before he has been able to earn money he shall be entitled to such compensation (not exceeding 10s.) for the trouble he has been put to as to the Secretary for Native Affairs shall seem fit, provided only he return to Fort Jameson as soon as he is able.

6. Proper quarters shall be provided for the natives engaged to work in the mines.

7. A blanket shall be issued to each native recruited. The cost of such blanket shall be deducted from the native's deferred wages.

8. One day in seven shall be a holiday except in the case of urgent necessity.

9. Complaints may be made to the mine manager or other authority through the capitao attached to each tribe of labourers from North-Eastern Rhodesia.

CONDITIONS OF SERVICE.—B. CAPITAOS.

1. Employee undertakes to work for   months as capitao at such mine in Southern Rhodesia as the Rhodesia Native Labour Bureau shall direct. Employee shall not be required to perform manual labour, but his duties are liable to be as follows:—

> Supervising and turning out the natives under his charge, overlooking the sweeping of the compound, examining and bringing up sick natives for medical inspection, tracing loafers and such other similar duties as may be assigned to him by the Compound Manager of the Mine.

2. The pay of such capitao shall be at the rate of 25s. per calendar month. The value of any Hut Tax or Hut Taxes which may be due by him at time of engagement shall be advanced to him in accordance with Section 16 of the Conditions of Recruiting. One-third of the pay earned by the employee shall be paid direct to him while serving at the mines, and two-thirds shall be remitted to the Secretary for Native Affairs, Fort Jameson, for payment to the employee on his return to North-Eastern Rhodesia after completion of service. In case of death any balance of pay due to employee shall be remitted to the Secretary for Native Affairs for payment to his next-of-kin.

3. Free rations of the standard quantity and quality usual in Southern Rhodesia shall be issued to employee during engagement and during the journey to the mines and back to that part of North-Eastern Rhodesia in which he was engaged.

4. Employee shall be entitled to free medical attendance and hospital accommodation, and no deduction shall be made from his monthly pay during sickness.

5. The passage of employee and all expenses connected therewith by rail to the mines and back to that part of North-Eastern Rhodesia in which he was engaged shall be arranged by the Rhodesia Native Labour Bureau. In case employee is invalided on medical certificate before expiration of engagement, the Bureau also undertakes to provide a return passage free of charge. If employee is invalided on medical certificate before he has been able to earn money, he shall be entitled to such compensation (not exceeding 10s.) for the trouble he has been put to as to the Secretary for Native Affairs shall seem fit, provided only he return to Fort Jameson as soon as he is able.

6. Proper quarters shall be assigned to him.

7. A blanket shall be issued to each capitao engaged if he requires it. The cost of such blanket shall be deducted from his deferred wages.

8. One day in seven shall be a holiday except in the case of urgent necessity.

Department of Native Affairs,
Fort Jameson,
July 12, 1906.

EXTRACT from the Administrator's speech to the assembled natives at the indaba held at Government House, Fort Jameson, on 30th March, 1907.

"You all understand now that much money can be earned by the young men if they go to Southern Rhodesia. You have seen some of the men come back from Johannesburg; how they get some of their money paid them at the Boma. It is much better to be written on at the Boma when you go to work at the mines and to get some of your pay on your return to Fort Jameson. If you get all your pay down there you lose it, or you spend it foolishly, or it is stolen on the journey home, and you come back to your village with nothing. But if you are signed on at the Boma, then the Boma sees that you get your proper pay. It is also good for you to be passed by the doctor before you go, because, if the doctor says that a man is not strong enough or he has a disease, that man is likely to die, especially if he has a weak chest, as it is colder in Southern Rhodesia than here. It is also not good to go down to Southern Rhodesia without the Boma knowing it, because if a man dies his relations won't hear of it nor will they get any pay that he has earned."

No. 57.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

MY LORD,
Downing Street, 15 January, 1908.

I HAVE the honour to acknowledge the receipt of your despatch of the 9th December, 1907,* on the subject of the recruiting of native labour for the mines from the Nyasaland Protectorate and North-Eastern Rhodesia.

Before arriving at a definite decision in the matter, I think it is desirable that I should await the reply to my despatch of the 6th of December,† together with the further communication promised by your Ministers in regard to the mortality among the natives on the Premier Mine.

It will, however, be impossible for me to authorise the resumption of recruiting unless there are strong grounds for believing that the death-rate can be very substantially and permanently reduced.

I have, &c.,
ELGIN.

No. 58.

SIR A. SHARPE to COLONIAL OFFICE.

(Received January 17, 1908.)

SIR,
Broadlands, Ambleside, 16th January, 1908.

I HAVE the honour to acknowledge the receipt of your letter of the 14th instant,‡ transmitting to me, for my information, a copy of a despatch§ received from Sir W. H. Manning (dated November 20th) on the subject of the exodus of native workers from Nyasaland to Southern Rhodesia.

I have been for some time past—as stated in my letter to you of December 13th last‖—in communication with Mr. Codrington, and also with the British South Africa Chartered Company, on the Nyasaland labour question in so far as it affects Rhodesia.

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* No. 54. † No. 49. ‡ Not printed. § No. 56. ‖ No. 53.

I had a meeting with the Company's Directors and Mr. Codrington on the 7th of this month, and the conditions detailed in my letter of December the 13th were accepted, with the following modifications, which I agreed to:—

> *Clause* (6).—The Directors express their willingness that the Rhodesian Government should entirely control "alien" labour, but state that they are unable to give a definite consent to the condition without the approval of Sir W. Milton; they also state that they presume Lord Selborne's consent would be required.
>
> *Clause* (7).—It is agreed that the blankets supplied to immigrants shall be eventually paid for out of their wages.

The Directors then undertook to communicate with Sir W. Milton with a view to taking steps in Southern Rhodesia for carrying out the proposed arrangement.

A few days ago I received a letter from the Chartered Company sending me copies of telegrams which had passed between London and Salisbury. These I forwarded to the Colonial Office yesterday* together with my reply. From Sir W. Milton's telegram I gather that he does not altogether understand the situation, and is under the impression that the Government of Nyasaland is anxious to send labourers down to Southern Rhodesia; the actual position being, as you are aware, that the present conditions under which native workers find their way to Southern Rhodesia are so very unsatisfactory that either some reasonable system must be organized, or else the question must be considered as to whether voluntary emigration from Nyasaland should not be discouraged or stopped.

The Chartered Company ask that meantime 1,000 men may be recruited from Nyasaland as an "experiment." I see no objection to 1,000 men being allowed to go down at once on the terms arranged and stated by me, pending the settlement of the final question as to how "alien" labour is to be dealt with in future in Southern Rhodesia.

There is one point which I feel strongly it is most desirable that if possible the Home Government should insist on: The placing of all matters concerning "alien" labour in Southern Rhodesia *under Government control.* I believe I am right in saying that in all our Colonies importing "foreign" labour (coloured) this course has been taken. Until this is done it is practically impossible to regulate satisfactorily for Northern natives seeking work in Southern Rhodesia. Mr. Codrington is, I am glad to say, entirely of this opinion; and paragraph 3 of the despatch from the Acting Governor of Nyasaland of the 20th of November† emphasises the same point. Sir W. Manning states: "The only way to reduce the high mortality is to make it a punishable offence in Southern Rhodesia to engage natives from Nyasaland and North-Eastern Rhodesia unless they are in possession of a pass," &c., &c. It would be difficult in practice to carry out this suggestion; but the placing of all alien labour under a Southern Rhodesian Government Department would at once get over any difficulties as it would then be illegal for anyone to employ alien labour except through that Department.

I am still awaiting from the Chartered Company the result of their final telegraphic communications to Sir W. Milton, and as soon as I am in a position to propose some final and definite settlement of this question of the regulation of Nyasaland labour going to Southern Rhodesia, will again write on the subject.

I have, &c.,
ALFRED SHARPE.

No. 59.

Sir A. SHARPE to COLONIAL OFFICE.

(Received 29th January, 1908.)

Sir, Halton Hall, Lancaster, 28th January, 1908.

With reference to previous correspondence on the question of the exodus of Nyasaland natives to Southern Rhodesia in search of work, I now have the honour to transmit to you a letter which I have received from the British South Africa Chartered Company (written by Mr. Codrington).

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* Not printed.

† No. 56.

It will be seen that the Company are ready to carry out the conditions which I have detailed in previous letters, in addition to which I have told Mr. Codrington that with respect to labourers going to Southern Rhodesia, as in the case also of labour sent to the Transvaal, the year's tax of each man (6s.) will require to be paid on recruitment, and will be eventually deducted from wages.

I would now suggest that the proposed experiment be carried out, by the engagement of one thousand men, on the conditions I have agreed to, and that a despatch be addressed to the Acting Governor of Nyasaland instructing him to co-operate with the Chartered Company's Acting Administrator of North-Eastern Rhodesia with this object.

I have, &c.,
ALFRED SHARPE.

Enclosure in No. 59.

Mr. CODRINGTON to Sir A. SHARPE.

Queen Anne's Mansions, S.W.,
London, 26th January, 1908.

MY DEAR SIR ALFRED,

I HAVE seen your reply to Brodie about Nyasaland labour.

The cablegrams to and from Sir William Milton crossed, but there is no doubt that he now understands the exact position. At any rate it is understood by the Board, and Sir William Milton has been informed by letter.

It is clearly understood that it is absolutely necessary to regulate the existing traffic, in the interests of Rhodesia, of Nyasaland and of the natives; that the death-rate and general wastage of men going south must be substantially reduced by improved organisation of food supplies and passage arrangements on the way down and back again, and improved conditions of employment; that there is a danger, remote but necessary to guard against, of the introduction of sleeping sickness by unregulated immigration to Southern Rhodesia; that in your opinion and in mine and in that of the Directors who have recently returned from Rhodesia, it is essential that all details connected with the employment of northern labour should be dealt with directly by the Southern Rhodesia Government and not by any Labour Bureau. The Board, having considered these points, passed a special resolution, and directed Sir William Milton by cable to approach the High Commissioner with a view to the immediate establishment of the necessary Government organisation to deal with the matter. It is necessary to consult the High Commissioner as there is an old Colonial Office despatch* (Sir Richard Martin on "forced labour") instructing the Company that their Administrative Officers are not to interfere in any way in the recruiting and distribution of labour. This order Sir William Milton will seek to get modified as far as "alien labour" is concerned.

I think, therefore, you will agree that Sir William Milton understands that the conditions we agreed to are accepted by the Board, and that he will himself concur, and that all that is now required is the approval of the High Commissioner and the new arrangements can be carried out. Moreover, I shall see Sir William Milton on my return to Rhodesia and can explain and discuss the matter further with him if he wishes.

As regards the "experimental" sending of a thousand men the idea is that if you accept the Company's assurance that they are in entire agreement with you as regards the necessity of regulating the supply of Nyasaland labour, and that they are taking steps to obtain the High Commissioner's concurrence in the immediate establishment of a Southern Rhodesia Government organisation to control and look after all details connected with the employment of "alien labour," you should at once authorise the engagement, on the lines indicated by you and agreed to by the Company and Sir William Milton, of a thousand natives, in order that it may be seen by a limited experiment, whether or not the new system can be made workable and acceptable to the employers of labour in Southern Rhodesia. If this first experiment succeeds everybody will be anxious to go on, but in the beginning the Company wish to go slowly, to be certain that they can secure a satisfactory disposition of the labour and the most favourable conditions for success.

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* See [C. 8547] and page 83 of [Cd. 1200] July, 1902.

As you know, I share with you an anxiety to get these new and improved arrangements established, as I am not at all satisfied with the present system of recruiting and dealing with native labour from my own country, and unless something of the sort is done, I shall have to make representations to the Company which can only result in the prohibition of recruiting in the northern territories.

Yours, &c.,
ROBERT CODRINGTON.

Sir Alfred Sharpe, K.C.M.G., C.B.,
Broadlands,
Ambleside.

P.S.—Since I wrote this a cablegram has been received from Milton saying that the "High Commissioner fully approves establishment Government Labour Bureau."

R. C.

No. 60.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 8th February, 1908.)

[*Answered by No.* 65.]

Governor's Office,
Johannesburg, 20th January, 1908.

MY LORD,

WITH reference to your despatch of the 6th December and my despatch of the 9th idem,* I have the honour to enclose, for your information, copies of Minutes from Ministers on the subject of the mortality amongst native labourers on the Premier Diamond Mine.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 60.

MINISTERS to GOVERNOR.

(Minute No. 21.)

Prime Minister's Office,
Pretoria, 13th January, 1908.

Ministers have the honour to acknowledge the receipt of the Governor's Minute, No. 50/5/07, of the 27th December, 1907, with a copy of the Secretary of State's despatch, dated the 6th December, relative to the death-rate among Nyasaland Protectorate natives employed on the Premier Mine, which question has already been dealt with in a general way in the Medical Report which accompanies a separate Minute from Ministers of this date.

LOUIS BOTHA.

Enclosure 2 in No. 60.

MINISTERS to GOVERNOR.

(Minute No. 22.)

Prime Minister's Office,
Pretoria, 13th January, 1908.

In connection with their Minute, No. 650, of the 29th November last, Ministers have now the honour to transmit to His Excellency the Governor a copy of the report of the Medical Board appointed to enquire into the causes of the high rate of mortality amongst native labourers employed on the Premier Diamond Mine, and to state that steps are at once being taken to carry out the recommendations of the Board as far as possible.

LOUIS BOTHA.

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* Nos. 49 and 54.

Sir, Johannesburg, 24th December, 1907.

In reply to your letter of the 2nd ultimo, we have the honour to send you a report of our joint investigations concerning the mortality occurring among British Basutos and other natives on the Premier Mine.

We have paid visits to the Mine on several occasions and have made as full enquiries as possible.

There is no doubt that the mortality during the year ended June, 1907, amongst British Basutos was excessive.

The figure is 52·8 per 1,000 per annum on the Premier Mine, and 20·3 amongst British Basutos on other mines in the Transvaal.

The death-rate calculated on all the natives on the Premier Mine, excluding British Basutos, gives a mortality of 29·3 per 1,000, which, considering the source of the native labour supply, is, in our opinion, a high one.

The death-rate of the various tribes for the 12 months ended June, 1907, was as follows:—

British Basutos	52·8	per 1,000	per annum.
British Central Africa ...	106·6	,,	,,
East Coast natives, south of latitude 22° ...	42·35	,,	,,
Cape Colony Boys ...	65·7	,,	,,
Natal and Zululand ...	10·9	,,	,,
Transvaal Basutos ...	21·5	,,	,,

The death-rate for East Coast natives and Transvaal Basutos for the same period on the gold mines was 33·1 per 1,000 for East Coast natives and 23·6 for Transvaal Basutos. A death-rate, therefore, of 42·35 amongst East Coast natives is almost as startling as that of 52·8 among the British Basutos.

It is true the death-rate among Transvaal Basutos on the Premier is 2·1 per 1,000 lower than that on the gold mines, but we believe we are correct in saying that the majority of these are Sekukuni's people, a better class than the ordinary Transvaal native. A death-rate of 21·5 among them is not a low one.

In view of these figures we think we are justified in coming to the following conclusions:—

(1.) The death-rate generally among all races of native labourers employed on the Premier Diamond Mine is higher than is usual on the mines in this country.

(2.) The mortality among the British Basutos is, for some reason, in a greater excess than among the other tribes. Further, that a larger proportion of them are admitted to hospital with respiratory diseases, including pneumonia, than others, as proved by the following table:—

Admission to hospital for all respiratory diseases.

Transvaal Basutos ...	238	per 1,000	per annum.
East Coast natives ...	301·9	,,	,,
British Basutos	324·6	,,	,,

As regards the first conclusion, we believe, as a result of our investigation, that the increase in the general mortality on the Premier is the result of several factors, of which we would draw your attention to the following:—

(1.) *Overcrowding in the compound.*

That overcrowding has existed is admitted.

Experience teaches us that overcrowding is frequently accompanied by pneumonia in epidemic form, and it has been noted that, as this evil is abated, the number of cases of pneumonia diminishes.

(2.) *Sleeping accommodation.*

At present numbers of natives are sleeping on cement floors; none of them have bunks.

This material is a conductor of heat, consequently the native lying on it is continuously giving up warmth to the floor.

This subject might be discussed in a lengthy manner from several aspects.

The increased dangers from infected dust to persons lying on the floor level might be gone into; still more extensively might the matter be discussed thermally, considering the range of temperatures between the cement floor, the native's body, and the surrounding atmosphere. We think this unnecessary.

(3.) *Length of time on shift.*

The native on the Premier Mine at present works a twelve hours' shift with an interval of one hour. This is excessive. No driver with any respect for his animals would work mules or horses for such periods. It must be remembered that animals have their food brought to them after their work, while the unfortunate native has, in this case, to cook his own food or, at any rate, to fetch it, and he has to look after his own clothes.

If a boy has to work from 6 a.m. to 6 p.m. he has not much time to attend to himself, especially in the winter months, and he certainly has a poor chance of drying wet clothes, &c.

(4.) *Absence of heating apparatus in living room.*

The lack of stoves in the sleeping-rooms must at times be felt; a boy coming in from the mine with wet clothing wants some place to dry them, though, of course, we recognise that the ideal plan would be for him to make use of a common drying chamber for his clothing, but we know that such an arrangement is impossible owing to the natives' prejudices.

It must also be remembered that the rapidity with which a native radiates his heat causes him to require a warmer temperature than an ordinary European.

These four factors, if rectified, would, we believe, render an otherwise excellent native compound as up-to-date as existing circumstances admit of.

There are probably several factors which have caused a still higher mortality among British Basutos than other races.

(1.) We learn that the average period of service of this class of labour is a very short one, only about 2½ months. This means, therefore, that there is a constant stream of absolutely raw natives of this tribe on the Mine, unaccustomed to the work and mode of life, who never stay long enough to become really acclimatised to the place, and as we know that new boys are more prone to disease than seasoned hands, the factor probably accounts to some extent for the extra death-rate and increase in hospital admissions among them.

(2.) We believe another important reason is the large increase in numbers amongst the British Basutos without corresponding compound accommodation. The tendency of various tribes to keep to their own quarters necessarily meant that the British Basuto rooms have been more seriously overcrowded than those of other tribes. Take, for example, the number of East Coast boys and British Basutos for comparison.

The East Coast native figures ranged between 1,200 and 1,400 during the period under enquiry, beginning with 1,446 and finishing with 1,287; whereas the British Basutos begin the period with 1,007 and finish with 3,017.

On the Premier Mine the natives feed themselves, and we know the British Basuto in other places has shown himself a somewhat saving individual. Give a Basuto one pound and one shilling for a week's pay, he is exceedingly chary of breaking the one pound and will try and live for the seven days on the one shilling. This he succeeds in doing by starving himself and by begging food from his less thrifty neighbours, the result being that though he may appear fat he is imperfectly nourished in some respects, and, therefore, more susceptible to disease, and on having contracted it, has less power of resistance. This is borne out when one remembers the poor chance a scurvy patient has of recovering when once he has contracted pneumonia.

RECOMMENDATIONS.

We recommend that—

(1) Overcrowding on the Premier Mine should not be allowed under any circumstances.

(2) The twelve-hour shift should be reduced.

(3) Adequate heating apparatus, preferably hot-water pipes, should be supplied to the compound rooms before the next winter.

(4) The Compound Manager be asked if it is feasible to make a small reduction from the native wage to cover the cost of a daily supply of a ration of cooked winnowed mealie meal, mixed with the ordinary proportion of ground-nut sauce.

We believe that if these recommendations are carried out, the death-rate on the Mine will be materially decreased. At the same time the experience on other diamond mines has taught us that there is some factor at present not understood which causes a somewhat higher death-rate than one is justified in expecting.

Finally, we must express our thanks to the Medical Officers of the Premier Mine, Dr. Rigby and Dr. Lister, and the Compound Manager, Mr. Hall, for the assistance rendered us in making the investigations.

Charles Lane Sansom.
G. A .Turner.

The Minister for Native Affairs,
Pretoria,

Appendix "A."

On the question of the necessity of bunks in the compound, Dr. Sansom and myself are not at one.

There can be no doubt in my mind that to allow a native, who radiates his heat more rapidly than a white man, to sleep on a stone floor must lead to trouble. To appeal to a layman's mind I suggest that the consideration of the two following questions will be conclusive :—

(1) Would any man who was sleeping on the veldt choose a smooth rock to spread his blankets on? The very inexperienced person might do so once; he would certainly never do it a second time.

(2) What is the experience of the man with a granolithic floor in his office? Every one knows that, even when he is wearing thick boots, his feet become painfully cold unless he has a heavy mat under them.

It must be remembered that the native on his first arrival on the Mine has not a plethora of blankets with him—probably two cotton ones at most. A boy lying on the cold floors, protected only by these must be chilled even in summer months. During the winter the effect must be painful and the result disastrous. I, therefore, strongly recommend that a double tier of bunks be erected in the sleeping-rooms as soon as possible.

G. A. Turner.

Appendix "B."

I am not convinced of the absolute necessity of wooden bunks. Natives were at one time allowed to erect shelves of their own, and to obviate this unsatisfactory procedure I insisted on proper movable bunks being provided.

Having noted the excellent health of prisoners who sleep on concrete floors I am not prepared to argue that the absence of wooden bunks causes a large amount of bad health.

The issue of felt mats, such as are used in prisons, would prevent much of the loss of heat referred to above.

Charles Lane Sansom.

No. 61.

The ACTING GOVERNOR OF THE NYASALAND PROTECTORATE to the SECRETARY OF STATE.

(Received 22 February, 1908.)

Government House, Zomba,
Nyasaland Protectorate, 17th January, 1908.

My Lord,

In continuation of my despatch dated the 15th of November, 1907,*

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* No. 55.

I have the honour to forward, for Your Lordship's perusal, a copy of a communication received by me from Mr. Knipe, the representative of the Witwatersrand Native Labour Association in Central East Africa.

1. As Your Lordship will observe, Mr. Knipe asks that a "modus operandi" should be agreed upon by this Government and the Witwatersrand Native Labour Association with reference to the question of native labour for the Rand mines.

Mr. Knipe sketches the history of the early immigration to the Rand of labourers in search of work.

He states that three years ago statistics as to 6,000 men are available as to the number who proceeded to South Africa in search of work, and that this number only represented one-third of the actual number.

That at the present moment the same state of affairs exists but on a much more extensive scale.

Later on in his letter Mr. Knipe estimates again that the number who left for work in South Africa in 1907, with or without passes, is at the lowest computation 18,000.

He points out that of these 18,000 me we have no information whatever as to how they reached their destination, except that it is probable they underwent great hardship in the endeavour, or as to how or where they are employed.

These statements bear out those made in my despatch of 15th November, 1907.*

2. Mr. Knipe makes serious statements as to the state of affairs in Southern Rhodesia as regards the employment of labour from this Protectorate. I have no means of corroborating this indictment, but I shall refer to this later in the considerations which I propose to put forward concerning the employment of labour in South Africa generally.

3. I have already, in my above-quoted despatch, called attention to the great popularity that labour in the Rand mines enjoys, and I have had ample means of corroborating this evidence in my conversation with many chiefs who have been to see me since I arrived in the Protectorate.

4. Mr. Knipe's statement that the cessation of recruiting for the Witwatersrand Native Labour Association has not had any appreciable effect on the numbers who proceeded south corroborates what I have already brought forward. The exodus has been the same under conditions of hardship and want of any form of control either as to medical fitness or as to proper pay and treatment.

5. The Witwatersrand Native Labour Association now propose, as Mr. Knipe states, to recruit labour not in British territory but outside that territory, but close to its borders. All that he iterates is what will occur, and this Government is powerless to prevent it.

The native of Nyasaland will have no difficulty in passing himself off as a Portuguese subject, and it must be borne in mind that the Portuguese border is practically unadministered, and therefore the identification of natives who pass themselves off as natives of Portuguese territory is improbable. Should this system be put into force every vestige of control we might retain over the native proceeding south in search of labour is to all purposes lost; he becomes for the time being a Portuguese subject.

6. Mr. Knipe then puts forward his proposals for the "modus operandi."

From the perusal of the proposals put forward it is evident that the Witwatersrand Native Labour Association do not come forward as recruiters of labour, but to assist those who are provided by this Government with passes to reach their destination, and in return for this assistance the native is to work under the auspices of the Witwatersrand Native Labour Association.

On behalf of the native they promise also to:—

(1) Pay the hut tax for the current year and for any year that the native may be working in the mines on the Rand.

(2) To remit sums due to heirs of deceased natives who die on the Rand.

(3) To pay the native as to one-third of his pay on the Rand and two-thirds in this Protectorate, in addition to food, clothing, housing, and proper supervision while in South Africa.

7. In commenting upon these terms the point must not be overlooked that the Witwatersrand Native Labour Association make no reference as to the conditions of work, the provision as to underground labour in the mines being ignored.

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* No. 55.

But as I have pointed out in my despatch of 15th of November, 1907,* this prohibition is ignored at the present, and to impose the condition in consideration of the proposals now put forward would wreck any attempt at formulating a "modus operandi," and the Witwatersrand Native Labour Association would have recourse to the scheme of recruitment outside British territory, and it must be remembered that not only the Witwatersrand Native Labour Association but any other agency would have no difficulty in recruiting labour in Portuguese territory from among pseudo Portuguese subjects.

8. I think it is my duty to put the matter quite clearly. The situation as now developed means either the acceptance of the proposals of the Witwatersrand Native Labour Association and the control of our surplus labour supply, or the non-acceptance of those proposals and the loss of all control, as the native of this Protectorate has made up his mind to go to the mines in South Africa, and I see no means of preventing him.

9. I must refer back again to the statements made by Mr. Knipe as to the conditions under which the native of Nyasaland works in Southern Rhodesia. We have from two sources, which are unimpeachable, the evidence as to the conditions of labour in the Rand, viz., the Witwatersrand Native Labour Association's reports and the evidence of the native who has returned from work on the Rand. Taking the evidence of the latter—I have never had one case in which I have questioned returned labourers where any complaints have been made; one and all have been enthusiastic as to their treatment, pay, and, above all, their food. I consider that if the Witwatersrand Native Labour Association undertake on behalf of the native that is assisted to the Rand to see that he is properly treated, housed, fed, and paid, a similar undertaking should be exacted and enforced on behalf of the native whom the Rhodesia Labour Bureau assist down to Southern Rhodesia, and that unless some such guarantee is forthcoming the agency of the Southern Rhodesia Labour Bureau should not be permitted to assist natives to the mines in Southern Rhodesia. In other words, if the Witwatersrand Native Labour Association can promise and undertake certain conditions on behalf of the natives of this Protectorate, that they assist to find labour in the Rand exactly similar conditions should be laid upon any other agency. In the event of this proviso being enforced, I see no necessity to inquire into what has taken place in Southern Rhodesia, but to guarantee that such a state of affairs is impossible in the future, though it may have been in the past.

10. I should state that it will be evident that the "modus operandi" as now proposed on behalf of the Witwatersrand Native Labour Association is neither more nor less than that which I outlined in my despatch referred to, and that the Witwatersrand Native Labour Association become the means of forwarding natives to the mines, instead of this Government undertaking this duty and calling upon employers to pay the cost of each native employed. The Witwatersrand Native Labour Association relieves this Government of the cost, and recoups themselves from the employer.

11. I have replied to Mr. Knipe that I have laid his letter before Your Lordship with my remarks, and that I will ask Your Lordship to reply by telegram to this despatch in order that, if the proposals of the Witwatersrand Native Labour Association are approved of, the present very unsatisfactory position of affairs may be terminated at once.

12. I attach, for Your Lordship's information, a copy of the translation of a letter from the Governor of the Mozambique Company, Beira, in which the exodus of Nyasaland natives to South Africa in search of work is referred to as being "more or less an emigration," so large is the number of Protectorate natives applying to the Company's officials for passes when *en route* for South Africa.

I have, &c.,
W. H. MANNING,
Acting Governor.

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* No. 55.

Enclosure 1 in No. 61.

Mr. C. KNIPE, District Manager, Witwatersrand Native Labour Association, Limited, to the ACTING GOVERNOR, Zomba, Nyasaland.

SIR, 11 January, 1908.

As representative of the Witwatersrand Native Labour Association in Central East Africa, I feel that the time has come for me to put before Your Excellency as clearly and concisely as I can the situation as it is at present with reference to our operations in this part of Africa, events which I am convinced will follow in natural sequence, and finally to lay before you proposals which I trust will lead to the proper conduct and control of the very large voluntary exodus of natives from this Protectorate who go in an irresponsible manner in search of work in places south of the Zambesi.

In order that Your Excellency may understand how matters stand, I think it best for me to endeavour to show you how this emigration started, to what an extent it has grown, and how it has become most essential that some *modus operandi* should be agreed upon between the Government of the Nyasaland Protectorate and the Witwatersrand Mines in the Transvaal.

It is many years now since the natives of this Protectorate discovered of their own accord that south of the Zambesi there was a more remunerative market for their labour than in their own territory, and I think I am right in saying that the Atonga tribe, who inhabit the West Nyasa district, and have the roving spirit strongly developed, were the first to push across the Zambesi to the mining fields of Southern Rhodesia. In due course these pioneers returned to their homes, and the sight of so much comparative wealth which they brought back induced many of their friends to follow their example. As time went on the example set by the Atonga was followed by the neighbouring tribes, so that even before the Witwatersrand Native Labour Association started organised operations in the Protectorate I am in a position to know that there were many thousands of natives annually leaving the country. There is no doubt that in the beginning the majority of these emigrants worked in the Rhodesian mines, but as time went on the pioneer Atonga discovered that there was even a better market for their labour on the Rand, and accordingly they pushed on to the Transvaal, and were again followed by the other tribes. There is no possible doubt that this exodus has increased every year, and in proof of this I would mention that three years ago no less than 6,000 (six thousand) Nyasaland natives were registered at Feira as having crossed the Zambesi to seek work south. I am confident that this represented only about a third of the actual number that really found their way down. It must be understood that the whole of this large number went down in a haphazard, irresponsible manner, getting food and shelter as best they could. It is well known that many died of actual starvation *en route*, while many others were practically enslaved by the Mashonas, being compelled by want and privation to hoe gardens for an indefinite time, receiving as payment just sufficient food to keep them alive. In addition to this it must be remembered that these natives left their districts spontaneously. Nobody knew where they were going to, whether they ever reached their destination, by whom they were employed, whether they received proper payment, or what became of them. And this is what is going on at the present time on an even more extensive scale. It is beyond contention that the idea of going to South Africa in search of work is widespread throughout the Protectorate, and that the objective is not, as in the beginning, the Rhodesian mines, but the Rand. The reason is obvious. In the first place wages are higher on the Rand; but I do not consider this to be real cause of the unpopularity of the Rhodesian mines. During my recent visit to Salisbury I made it my business to find out why natives would not go to these mines, and what was the cause of their extreme shortage of labour. The solution was not hard to arrive at. In the first place there is no efficient Government supervision of the employers of labour, but, at the same time grave scandals have been exposed, hushed up, and nothing done to bring the fault home to the offenders. I found that the natives were improperly housed amid unsanitary conditions, scantily fed, and questionable methods employed in paying their wages. By the continuance of this short-sighted policy for many years it has naturally come about that Rhodesia is the last place our natives wish to go to. At the same time so strong is their determination to get to the Rand that many of them accept temporary employment in order to earn enough money to pay their way later on to the Rand. It is an incontestable fact that the nature of the work on the Rand is thoroughly well known to all natives throughout Nyasaland, and that the idea of going there is becoming very popular among them. During the four years that my Association has been allowed to operate in the Protectorate, we have sent down and repatriated some 5,000 (five thousand) men. I may safely say that the money and reports which these natives alone brought back apart from the large number who have gone on their own intitative, have caused a widespread determination among the natives of Nyasaland to proceed by some means to the goldfields of the Witwatersrand. In proof of this I will mention my own experience. As Your Excellency is well aware my Association was not able to operate in Nyasaland during 1907, but this in no way stopped the flow of labour to the Rand. During the end of February, 1907, my late agent at Fort Jameson began to receive daily applications from gangs of Protectorate natives, who came to him asking to be assisted to the Rand. In no week was the number of these applications under one hundred, and sometimes the week's total touched two hundred. This went on for over four months. To every gang we gave the same explanation. They were told that we were unable to offer them any assistance then, but if they liked to return to their villages we might be able to do somethings for them in July. The result was as follows: A few decided to return to their villages and wait. Others merely walked across the road and engaged themselves with the agent of the Rhodesian Native Labour Bureau, telling myself and my agent that they were only doing this to earn enough money to take them to the Rand. The remainder went to the Rand there and then, finding their way down as best they could. None of these men had passes to leave the Protectorate. In addition to this, I know that other gangs, hearing that we could not assist them, never came near us at all, but cut straight across country to Salisbury, and so on to Johannesburg. I know that there was no great difficulty about this, as in Salisbury at that time natives were being surreptitiously engaged and forwarded to the Rand to mineowners outside the Witwatersrand Native Labour Association. I was at this time also receiving reports from my agents who had formerly been engaged in the Protectorate. These men wrote that their houses were being practically beseiged by Nyasaland natives requesting to be sent down to the Rand, and when they finally discovered we could do nothing for them, I am quite sure that many of them took the matter into their own hands and went. I am really almost afraid to give my estimate of the number of natives that left the Protectorate last year, because, in addition to the large number that went to the Rand I found during my recent visit to Salisbury that the whole of the town was over-run by Nyasaland natives. In the public offices, in the shops, in the factories, in private houses and hotels the lesser services were invariably performed by these natives. The common native language in the streets was Chinyanja.

My lowest estimate of the number of natives who left the Protectorate in 1907, with or without passes (the majority without), is 18,000 (eighteen thousand).

And now, Sir, I come to the real crux and difficulty of the situation, and in the following lines I trust Your Excellency will not think that I am endeavouring to force the hand of Government, as I wish, above all things, to avoid giving this impression. The matter, however, must be stated plainly and openly so that there can be no misconception, and I would ask Your Excellency to believe that it is my earnest desire to clear the way for the future, and to do away with any risk of incurring Government displeasure.

During the latter part of 1907 my Association completed arrangements with the Portuguese Government whereby we are operating in Portuguese territory lying all along the north-western boundary of the Protectorate. We have also, on the east side of the Protectorate, come to terms with the Campanhia do Nyasa, and it is more than likely that we shall extend our operations round to Lomweland and Anguruland. It is not difficult to see what is bound to happen in the future. Even already it is beginning. I think there is no shadow of doubt that there are many natives in the Nyasaland Protectorate who will go to the Rand, and that any scheme for patrolling the borders to prevent them doing so is impracticable. As soon as we get our Portuguese routes open and operations systematised I am quite convinced that the Nyasaland natives will swarm over the borders and request to be engaged. What are we to do? If the Government forbid us to take Nyasaland men I can guarantee that it will not be done if we know they are Nyasaland natives, but with the best intentions I do not see how we can avoid it. Our agents, no doubt, will be able to find out about the first few gangs, but as soon as assistance is refused them, and it becomes common knowledge that no Nyasaland natives will be taken, the original gangs will simply go round the corner and present themselves as Portuguese natives, while the gangs following after will arrive with fictitious names and Portuguese villages already prepared. Again, what is to prevent unscrupulous persons hovering on the boundary and writing on the men as soon as they cross. I can foresee many complications unless some definite arrangement is arrived at. I will now proceed to lay before Your Excellency my proposals whereby I hope to find the solution of this complicated situation. I trust that in the foregoing pages I have convinced Your Excellency that at the present time there are thousands of natives annually emigrating south of the Zambesi from this Protectorate. It is not known where they go to; it is not known who employs them, how they are treated, or whether they get paid. We do know that service in the Rhodesian mines is most unpopular, for reasons which I have given, and we do know that Rhodesia will spare no effort to get these natives. From all these emigrants the Protectorate derives no benefit. Most of them probably evade the hut tax, thus even causing a loss of revenue. Now the proposal which I wish to lay before Your Excellency is this:

That as District Manager of the Witwatersrand Native Labour Association I may be allowed to take advantage of the existing Pass Law in the Protectorate. I ask to be allowed to have approved representatives in various parts of the Protectorate to whom all Nyasaland natives who have obtained passes to search for work outside the Protectorate may go, and be assisted to their stated destination.

If this is granted we will undertake and guarantee that:—

1. Every native who comes to our representative with a pass and expresses a wish to proceed to the Rand for work in the mines will be medically examined to ascertain if he is physically fit for such work.
2. The Witwatersrand Native Labour Association will be responsible for the hut tax of the current year of every native who proceeds to the Rand under its auspices.
3. The hut tax of every such native will be remitted as it falls due by the Association during such time as the native may be working on the Rand.
4. That no Nyasaland native will receive any assistance whatever unless he is provided with a Government pass authorising him to leave the Protectorate in search of work.
5. The Association will provide free of cost necessary transport, shelter, and food on the road to the Rand, and will also be responsible for their safe conduct and general welfare.
6. The Association will guarantee that two-thirds of the wages earned by Nyasaland pass natives will be paid out to the natives when they return to Nyasaland on completion of contract. The remaining one-third will be paid to them on the Rand.
7. All pay due to any Nyasaland pass native who may die while working on the Rand will be remitted to Nyasaland for the relatives of the deceased.
8. Nyasaland natives will be supplied with good blankets on leaving, and at Salisbury will be provided with other suitable clothing before being entrained for Johannesburg.
9. On completion of contract Nyasaland natives will be repatriated. Necessary transport shelter and food will be provided. A certain sum will be deducted from the wages of the natives to cover cost of repatriation.

The Association are in a position to carry out all the above conditions, and I think Your Excellency will recognise that if we are allowed to carry on the work under some such scheme, we shall benefit the Protectorate and aid in the solving of the problem which is worrying South Africa. I cannot help thinking that the time must come when the Government will have to take steps to control the emigration from Nyasaland, and it seems to me that the Witwatersrand Native Labour Association are the proper people to relieve the Government of all the details for the proper conduct of the affair.

In conclusion, I trust Your Excellency will approve and sanction some such scheme or modification thereof as I have mentioned above. I venture to say that if the Witwatersrand Native Labour Association are allowed to *assist to their destina-*

tion all natives with passes, who of their own accord express their desire and intention of proceeding to the Rand, it will at once do away with endless complications which will arise in the future. I am confident that large numbers of Nyasaland natives will get to the Rand in any case. The attraction is too great, the difficulties of the journey are not insuperable, although great hardship will be entailed if they proceed in an irresponsible way. It seems to me that no legislation will prevent the men from going. If the Association is allowed to operate the Pass Law the whole business can be systematised and controlled. If the Association is forbidden to offer any assistance we can only stand on one side and watch thousands of natives stealing away, their identity lost, and their whereabouts unknown.

I have, &c.,
C. KNIPE,
District Manager,
Witwatersrand Native Labour Association,
Limited.

Enclosure 2 in No. 61.

(Translation.)

GOVERNOR OF THE MOZAMBIQUE COMPANY, Beira, to ACTING GOVERNOR.

SIR, Beira, 4 January, 1908.

VERY often natives claiming to come from the territory under Your Excellency's administration present themselves before my Commissioner of Police and ask for permits to proceed to Lourenço Marques, Transvaal and other South African countries. As a rule these natives attach to their petitions somewhat confused documents given to them in several mining districts and after slight enquiries I allow such permits to be issued.

These cases are becoming now so frequent that they may be more or less taken as emigration which, I understood from the Protectorate's Annual Report Your Excellency were kind enough to send me, your Administration endeavours to restrain by applying the system of "passes" which none of such natives ever produced.

As my wish is to maintain all possible cordiality with the Administration represented by Your Excellency and to avoid, within the limits of this territory's laws, any infractions of the laws of the Protectorate, I beg to ask Your Excellency to inform me of the conditions under which natives are allowed to leave the Protectorate and what means are to be used in identifying them, which, as things stand now, may be considered very difficult.

I have, &c.,

No. 62.

THE HIGH COMMISSIONER FOR SOUTH AFRICA to THE SECRETARY OF STATE.

(Received 29th February, 1908.)

MY LORD, High Commissioner's Office, Johannesburg, 10th February, 1908.

I HAVE the honour to enclose, for your information, a copy of the undermentioned documents on the subject of the establishment of a Government Labour Bureau in Southern Rhodesia to undertake the introduction, distribution, and supervision of native labourers from Central African territories north of the Zambesi.

I have, &c.,
SELBORNE,
High Commissioner.

SCHEDULE OF ENCLOSURES.

1. Despatch from Administrator, Southern Rhodesia. January 20, 1908.
2. Telegram from Administrator, Southern Rhodesia. January 22, 1908.
3. Telegram, No. 12, to Resident Commissioner, Salisbury. January 23, 1908.
4. Despatch to Resident Commissioner, Salisbury. February 7, 1908.

Enclosure 1 in No. 62.

ADMINISTRATOR, Southern Rhodesia, to HIGH COMMISSIONER.

MY LORD, Administrator's Office, Salisbury, 20th January, 1908.

REFERRING to the conversation which I understand took place at an interview accorded by Your Excellency to the Directors of the Company at Bulawayo in October last, I have the honour to state that the Company considers it desirable that this Administration should deal direct with the Administrations north of the Zambesi in regard to labour obtained from Central Africa, and should assume the responsibility for the due fulfilment of their contracts by employers. It, therefore, proposes to form a separate official department for this purpose, with which would be combined the general inspection of labour compounds now carried out by district officials of the Native Department, the recruiting and distribution of local and other labour offering remaining in the hands of the Labour Bureau as at present.

Although this proposal does not appear to come under the head of Native Administration as regulated by the Order in Council, the Company desires to know whether the proposal meets with Your Excellency's approval, and I shall be glad if I may be favoured with an expression of Your Excellency's views on the subject.

I have, &c.,
W. H. MILTON,
Administrator.

His Excellency the High Commissioner
The Right Honourable the Earl of Selborne, G.C.B.,
G.C.M.G., &c., &c., &c.

Enclosure 2 in No. 62.

ADMINISTRATOR, Southern Rhodesia, to HIGH COMMISSIONER, Johannesburg.

TELEGRAM.

January 22nd. Referring to the conversation which I understand took place at an interview accorded by Your Excellency to the Directors at Bulawayo in October I have the honour to state that the Company desires to establish an official department to undertake the introduction, distribution, and supervision of labour from north of the Zambesi. The Labour Bureau will continue to deal with other labour. Although this proposal does not appear to come under the head of Native Administration regulated by the Order in Council, the Company desires to know whether it meets with Your Excellency's approval. Despatch to above effect written 20th January, and I now telegraph as I have to-day received a cable from London stating that the Governor, Nyassaland, is prepared to send 1,000 natives down at once if Administration assumes direct responsibility without intervention of Labour Bureau.

Enclosure 3 in No. 62.

HIGH COMMISSIONER to RESIDENT COMMISSIONER, Salisbury.

TELEGRAM.

January 23rd. No. 12. Please communicate following to Administrator.

> With reference to your telegram of January 22nd, I approve of your proposal fully regarding establishment of Government Labour Bureau and await your promised despatch.

Enclosure 4 in No. 62.

HIGH COMMISSIONER to RESIDENT COMMISSIONER, Salisbury.

SIR, High Commissioner's Office, Johannesburg, 7th February, 1908.

WITH reference to my telegram, No. 12, of January 23rd, and to the Administrator's despatch of January 20th, I have the honour to request that you will inform Sir William Milton that I am entirely in favour of the plan to undertake the introduction, distribution, and supervision of native labourers from the Central African Territories north of the Zambesi.

2. The objections to a Government becoming the recruiting agency for natives from its own territory to work within its own territory outweigh the advantages of such a plan; but when the natives are recruited in one territory to work in another, there are no objections to outweigh the advantages, and the interests of the natives are best safeguarded by the matter being arranged between the two Governments concerned.

I have, &c.,
SELBORNE,
High Commissioner.

The Resident Commissioner
of Southern Rhodesia, Salisbury.

No. 63.

THE HIGH COMMISSIONER FOR SOUTH AFRICA to THE SECRETARY OF STATE.

(Received 29th February, 1908.)

[*Answered by No.* 65.]

High Commissioner's Office, Johannesburg,
February 10, 1908.

MY LORD,

I HAVE the honour to forward, for your information, a copy of a telegram from the Resident Commissioner of Southern Rhodesia transmitting a message from the Administrator relative to the movement of natives through Southern Rhodesia for the purpose of obtaining, or fulfilling a contract for, employment beyond the limits of that territory, and embodying the draft of regulations to which, in terms of Section 9 (1) (*e*) of the "Native Pass Amendment Ordinance, 1904," I have been asked to give my approval, to control the movements and proceedings of such natives.

2. It was apparently intended that these regulations should be brought into operation immediately. But it was evident that, if the proposal to appoint Umtali, a town on the eastern border of Southern Rhodesia, as the place of entry were carried into effect, the regulations would interfere with a body of natives who—so it was stated—had been recruited in Portuguese territory along the upper Zambesi, *i.e.*, between Tete and Zumbo, on behalf of the Witwatersrand Native Labour Association, and who, having undergone medical examination at Fort Jameson, were then on their way to the Transvaal viâ Feira (near Zumbo) and Salisbury.

3. I had only just received the Resident Commissioner's telegram when the Witwatersrand Native Labour Association complained to me that some of these natives were being detained by the Southern Rhodesia Administration. I accordingly telegraphed to Colonel Chester-Master requesting him to inform the Administrator that the regulations were receiving my careful consideration, but that, in the meantime, I hardly thought it consonant with the recognised rules of inter-colonial comity that Southern Rhodesia should place obstacles in the way of the passage of these particular natives and urging that, in view of the fact that the Witwatersrand Native Labour Association, when arranging their journey through Southern Rhodesian territory, had no reason to suppose that the Southern Rhodesia Administration would raise any objection, they should be allowed to proceed.

4. The view expressed by me was accepted by the Administrator, but, in consequence of a report that symptoms of sleeping sickness had been detected amongst the natives, they were further detained in Southern Rhodesia pending enquiry into the accuracy of the report. I consulted Transvaal Ministers in regard to the matter, and at their instance, requested that the suspected cases should undergo microscopical examination. The result of that examination showed that the reports made to the Administrator were incorrect, consequently the natives were permitted to continue their journey.

5. In regard to the regulations and the nomination of Umtali as the place of entry, both the Transvaal Government and the Witwatersrand Native Labour Association have protested that the geographical position of that town renders it

unsuitable for use as a transit station between Tete and the Transvaal, and that it, moreover, possesses a peculiar disadvantage in lying immediately opposite to the territories of the Mozambique Company in which, as your Lordship is aware, the recruitment of native labourers for employment in the Transvaal is not permitted; and they have urged that the natural route for natives recruited in Portuguese Zambesia is viâ Fort Jameson and Feira to Salisbury. The Witwatersrand Native Labour Association have also intimated that if the Feira-Salisbury route is closed to them, they will be compelled to arrange for the natives to proceed direct to Chinde and thence by sea.

6. In communicating these objections to the Southern Rhodesia Authorities, I stated that this was a matter which, in my opinion, the Southern Rhodesia Administration must settle for itself, but that if the Chinde route were adopted an important trade would be altogether lost to the Rhodesia Railways and to the local storekeepers. It has, however, become apparent that the people of Southern Rhodesia are strongly opposed to natives *en route* to the Transvaal being allowed to make the road journey from Feira to Salisbury, and the Administration hold the view that in consideration of this feeling, and also of the need for taking sanitary precautions, the traffic can only be permitted to pass through Umtali, whence it could proceed by rail and be strictly controlled.

7. There is no doubt that the difference between the two contending parties consists in the desire, on the one hand, of Southern Rhodesia to conserve her own labour supply, and on the other, of the Witwatersrand Native Labour Association to encourage the Rhodesian natives to seek employment in the Transvaal. I think that there is much reason in the Rhodesian view, and that the Witwatersrand Native Labour Association are well advised in adopting, as they have now decided to do, the Chinde and sea route rather than persist in a policy which, if it were to prevail, would probably have no other effect than that of exacerbating the people of Southern Rhodesia.

8. During the course of the negotiations I received from the Transvaal Government, to whom the Witwatersrand Native Labour Association had also appealed, a minute strongly protesting against the action of the Southern Rhodesia authorities. I enclose a copy of this communication which, as soon as the detained natives had been released, I brought to the notice of the Administrator with certain criticisms of the proposed regulations made by the Transvaal Native Affairs Department, and others by my legal adviser. In addition to the suggested substitution of Feira for Umtali as the transit station for natives *en route* from Portuguese territory to the Transvaal, which I have noticed above, the Transvaal Native Affairs Department desire that it shall not be compulsory for gangs of natives to be accompanied by a white man, but that natives carrying written credentials from accepted recruiting agencies shall be recognised as being in charge of the gangs; they further suggest that vaccination should not be insisted upon, except in the case of real necessity, and that, in regard to Clause 5, the Administration should be empowered to refuse admission to the territory only in the case of natives suffering from an infectious or contagious disease. The legal adviser's amendments are only verbal, and do not involve any question of principle.

9. I will acquaint your Lordship with the Administrator's reply to the criticisms of the regulations when I receive it; but with the diversion of the traffic to the sea route, the matter ceases to be one of vital interest to the Transvaal Government or to the Witwatersrand Native Labour Association.

I have, &c.,
SELBORNE,
High Commissioner.

Enclosure 1 in No. 63.

RESIDENT COMMISSIONER, Southern Rhodesia, to HIGH COMMISSIONER, Johannesburg.

TELEGRAM.

January 3rd. No. 2. I have been requested by the Administrator to forward the following message to Your Excellency:—

Begins: "I have the honour to inform Your Excellency that an agent of Witwatersrand Native Labour Association has recently been in Salisbury for the purpose of arranging for the transit of natives said to be recruited in Portuguese territory to Johannesburg. It is understood that the intention is to bring the gangs into the territory at some point on the north-east border, and to march them through the native districts to Salisbury, where they are to be entrained; at a Conference held in Salisbury on December 17th, at which representatives of the two Chambers of Mines, the Small Workers and Tributors' Associations, Salisbury and Gwelo, the Agricultural Union, the Farmers' Associations of both Provinces, the Native Labour Bureau, and all the elected members of the Legislative Council were present, the following resolution was unanimously adopted:—*Begins:* 'This meeting records its strongest objections on sanitary grounds to the proposal of the Witwatersrand Native Labour Association to bring gangs of natives from territories beyond the Zambesi through Rhodesia to the Rand, and requests the Government to prevent any such passage through this country.' *Ends.* A strong deputation, which included all the elected members, called upon me next day to urge strongly upon the Administration that every possible step should be taken to prevent the passage of native labourers in the manner proposed; the Administration feels that in view of the practically unanimous opinion of the country on the subject it is bound to take action, and while it is not prepared at the present stage to prohibit the entry, it considers it expedient that the traffic should be governed by regulations for which Section 36 of the Pass Ordinance, 1904, makes provision. I, therefore, submit, for Your Excellency's approval, the following regulations:—It is proposed to appoint Umtali as the point which alone native labourers in transit may at present be introduced; regulations begin:—

"1. The Administration may from time to time by notice in the Gazette appoint the place or places at which gangs of native labourers in transit shall enter the territory, and on the issue of any such notice these regulations shall have effect; no persons shall be allowed to introduce natives in transit at any point other than those so appointed.

"2. No native labourers shall be allowed to enter the territory or to proceed on the journey from the place of entry unless they are in charge of some responsible person directly appointed by the agency, company, or person on whose behalf they have been recruited, such person will be required to produce the written permission of the Government of the country in which the natives have been recruited to their removal.

"3. Every native shall be subject to medical examination at the place of entry by a doctor appointed by the Administrator.

"4. The doctor may order the vaccination of natives where he considers such a course necessary or desirable.

"5. The Magistrate of the district, on the certificate of the doctor that any native is unfit by reason of disease or other cause to be allowed to pass through the territory, may order such native to be returned over the border within a time to be fixed in such order or his detention at the place of entry for further observation or attention prior to a decision.

"6. Natives allowed to pass through the territory shall be taken from the place of entry direct to the nearest railway station, and there entrained without unnecessary delay to a station beyond the borders of the territory.

"7. The Administrator may place a police or other officer in charge of native labourers while passing through the territory.

"8. All charges for medical examination, attendance and maintenance of native labourers included in the carrying out of these regulations shall be defrayed by the person in charge before the natives leave the place of entry.

"9. The penalties prescribed by Section 34 of the Native Pass Ordinance, 1902, shall apply to contraventions of these regulations." *Ends.*

Enclosure 2 in No. 63.

MINISTERS to GOVERNOR.

(Minute. No. 33.)

Prime Minister's Office, Pretoria, 16th January, 1908.

Information has just been received by Ministers to the effect that a gang of native labourers recruited by the Witwatersrand Native Labour Association in the Zambesi Valley within the Portuguese possessions, and which left last month by the Fort Jameson-Feira-Salisbury route under contract for the Witwatersrand Mines of the Transvaal, has been arrested, and detained in Southern Rhodesia by order of the Administration.

It is understood that these natives were being brought down under exactly the same arrangements and by the same route as Central African natives engaged for the mines in previous years were allowed to pass through, and as Ministers are not aware that any rules have recently been promulgated to regulate the transit of native labourers through Rhodesian territory, they desire, if the above information be correct, to protest in the strongest terms against the arbitrary action on the part of the Rhodesian Administration in preventing natives recruited in Portuguese territory from passing through Rhodesia, as such action directly affects the interests of this Colony and its main industry.

In the absence of any intimation of the intentions of the Rhodesian Administration to prevent the free passage of labour for the mines, Ministers feel that some explanation is due to this Government for the summary steps taken, and also that compensation can fairly be claimed by the parties interested for any loss occasioned by the delay and detention of the native labourers.

LOUIS BOTHA.

No. 64.

THE SECRETARY OF STATE to THE ACTING GOVERNOR OF THE NYASALAND PROTECTORATE.

(Sent 4.20 p.m., 2nd March, 1908.)

TELEGRAM.

2nd March. No. 5. Referring to your despatch of 20th November,* after consultation with Sharpe I approve of you, after ascertaining whether High Commissioner for South Africa agrees, entering into agreement with Milton for regulating existing labour traffic between Nyasaland and Southern Rhodesia on lines of your despatch. Final conclusion of agreement should be deferred until Sharpe's return.

In the meantime 1,000 may be allowed to proceed at once as an experiment. Term of service not to exceed one year. Half wages to be paid in Rhodesia, remainder to Nyasaland Government at the end of term, to be handed over to labourer on his return. Southern Rhodesia Government must satisfy you as to proper care in every respect of workers during their service and on journeys to and fro. Let it be clearly understood that such natives will be free to settle in Rhodesia if they so desire, and provided they make arrangements for support of wives and families to satisfaction of Governor, Nyasaland. If Governor is not satisfied that interests of labourer are sufficiently safeguarded it shall be incumbent on Rhodesian Government to repatriate labourer at the end of his term.—ELGIN.

No. 65.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 11.40 a.m., 7th March, 1908.)

TELEGRAM.

[*Answered by No.* 66.]

7th March. No. 1. Your despatch of 20th January,† I regret that resumption of recruiting Nyasaland cannot be authorised in existing circumstances. I anticipate that, if question is again raised when next recruiting season approaches, I should find it incumbent on me to make certain stipulations similar to those stated in my despatch of 28th September last.* In view of your despatch, 10th February,† it would appear that argument that natives will find their way to the Rand overland of their own accord and suffer privations if not looked after on the way, has lost much of its force.

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* No. 56.

† No. 60.

Please communicate accordingly with Governor, Nyasaland.—ELGIN.

No. 66.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 5.31 p.m., 10th March, 1908.)

TELEGRAM.

[*Answered by No.* 67.]

10th March. No. 1. I do not understand latter part of your telegram of 7th March, No. 1.‡ My despatch, 10th February,† referred entirely to organized gangs of natives recruited by the Witwatersrand Native Labour Association, and passing through Rhodesia under supervision, whereas danger pointed out in my previous despatches as to recruiting in Nyasaland is that if organized recruiting is not allowed, individual natives may go south on their own account to look for work without any supervision, and suffer great hardships on the way. Such natives will cross the border anywhere, and will be travelling without passes, which is illegal, as it has always been, and I have no reason to suppose that existence of the Regulations enclosed in my despatch, 10th February,† will make any difference in the numbers so moving southwards. Before I communicate your telegram of 7th March, No. 1,‡ to my Ministers or to Governor, Nyasaland, do you want any change made in it, in view of these observations?—SELBORNE.

No. 67.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 2.15 p.m., 12th March, 1908.)

TELEGRAM.

12th March. No. 1. It will be sufficient to communicate first two sentences of my telegram of 7th March, No. 1,‡ to your Ministers. I regret that last sentence did not convey my meaning more fully. As I understand, the position is that flow of labour to the south, hitherto sporadic, will be now regulated and retained for Southern Rhodesia under improved conditions; and further your despatch, 10th February,† shows that means will be taken to stop passage down of all organized gangs which were held to have acted as an incentive to labourers to proceed to the Rand on their own account. Sharpe, just before his departure, assured me that in the absence of recruiting in Nyasaland under Government auspices, no considerable number will proceed to the Rand overland.§—ELGIN.

No. 68.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 6 p.m., 26th March, 1908.)

TELEGRAM.

26 March, No. 2. I desire to state briefly considerations present to my mind when I conveyed to you the decision contained in my telegram of 7th March,‡ as I am unwilling that your Ministers should suppose that that decision was not very carefully arrived at.

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* No. 41. † No. 63. ‡ No. 65.

§ COLONIAL OFFICE NOTE :—See also paragraph 4 of Enclosure 1 in No. 7.

It has been recognised in the past, both by His Majesty's Government and by the Transvaal authorities, that the continuance of such an excessive rate of mortality compared with the general rate as has occurred among the natives of British Central Africa when employed in the gold mines would render their further recruitment indefensible.

You will remember that five years ago, in 1903, the mine doctors made certain recommendations for improvements in the food and accommodation of the natives which, if carried out would, they held, bring down the rate of mortality to 40 per thousand, or even lower.* These improvements were largely carried into effect in the period during which His Majesty's late Government were directly responsible for Transvaal affairs. As a result the general rate of native mortality has diminished considerably during the five years 1903 to 1907, the reductions being, according to the figures given by your Ministers, from 71.3 in 1903 to 33.95, the average for the first nine months of 1907.

Among the Chinese labourers a still lower average rate has prevailed, which may be accounted for on several grounds, the main cause perhaps being that they were housed in newly-built compounds of the most approved type.

In the case of many of the old compounds some difficulty was experienced in securing that the recommendations of the mine doctors were fully carried out, and it is reasonable to expect that as native workers replace the Chinese in the new compounds, and when the whole of the accommodation is brought up to the same level of excellence, a still lower general native rate may be attained.

The rate of mortality among the British Central Africa natives, however, has been, on the whole, higher than that obtaining among natives from any other part of Africa excepting German South-West Africa.

It has been represented that, in default of organised recruiting approved by the Government, a large number of Central African natives will find their way to the Rand on their own account, and that thereby to the large mortality on the mines will be superadded a further large death-rate due to privations on the route. But His Majesty's Government are advised that no considerable number are likely to find their way to the Rand in this way. His Majesty's Government are further advised that the main exodus, and that which specially requires regulating, is to Southern Rhodesia, and an arrangement has now been agreed to by which the two Governments of Nyasaland and Southern Rhodesia will be responsible for ensuring the recruitment and employment of the natives under improved and proper conditions.

If further recruitment of British Central African natives for the Rand is to be permitted, the mining industry, which is able to control the conditions of employment, ought, in my opinion, to provide guarantees of sufficiently favourable conditions.

Your Ministers in their Minute of 29th November† appear to agree that this may be expected of the mines, though they point out certain difficulties in the way of accepting the terms stated in my despatch of 28th September.‡

The history of the progress of the industry during the last five years bears out the expectations formed by the mine doctors in 1903, and, moreover, shows that improved conditions for labour of all descriptions with a lower mortality from disease have been accompanied, not only by greater efficiency, but also by a reduction of working costs and by an increase in the volume of the available supply of native labour.—ELGIN.

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* See page 389 of Cd. 1897.

† Enclosure in No. 54.

‡ No. 41.

SOUTH AFRICA.

CORRESPONDENCE AND RETURNS

AS TO

RETRENCHMENTS IN THE TRANSVAAL AND ORANGE RIVER COLONY PUBLIC SERVICES, THE SOUTH AFRICAN CONSTABULARY, AND CENTRAL SOUTH AFRICAN RAILWAYS ADMINISTRATION WITHIN THE PERIOD 1st JULY, 1903 TO 30th JUNE, 1908.

Presented to both Houses of Parliament by Command of His Majesty.
October, 1908.

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SOUTH AFRICA.

CORRESPONDENCE AND RETURNS

AS TO

RETRENCHMENTS IN THE TRANSVAAL AND ORANGE RIVER COLONY PUBLIC SERVICES, THE SOUTH AFRICAN CONSTABULARY, AND CENTRAL SOUTH AFRICAN RAILWAYS ADMINISTRATION WITHIN THE PERIOD 1st JULY, 1903, TO 30th JUNE, 1908.

No. 1.

The SECRETARY OF STATE to the GOVERNOR OF THE TRANSVAAL.

My Lord,

Downing Street, 3 June, 1908.

I have the honour to transmit to you, for the information of your Ministers, a copy of a question and answer in the House of Commons, respecting the grant of a return giving certain information with regard to the retrenchment of Civil Servants in the Transvaal.

I request that you will intimate to your Ministers that I should be glad if they would furnish me with a report covering the points enumerated in the question, and extending over the whole period since a policy of retrenchment was found necessary.

I have, &c.,
CREWE.

Enclosure in No. 1.

House of Commons, 1 June, 1908.

The Earl of Ronaldshay asked the Under Secretary of State for the Colonies, whether he would grant a return showing the names, posts, salaries, and pension, gratuity or compensation awarded, if any, in the cases of those Civil Servants who had been retrenched or may be discharged or are under notice of discharge from the Transvaal Civil Service from the date of the granting self-government to the Transvaal up to the 30th April, 1908.

Colonel Seely, in reply, said: "This information is not in the possession of the Colonial Office, but the Transvaal Government shall be asked if they will furnish it, comprising particulars for the whole period since a policy of retrenchment was found necessary."

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No. 2.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received August 1, 1908.)

MY LORD, Governor's Office, Johannesburg, 13 July, 1908.

WITH reference to your despatch of the 3rd June,* I have the honour to inform you that I am advised by my Ministers that they are taking the necessary steps to furnish me with a report covering the points enumerated in the question asked in the House of Commons in regard to the officials retrenched or discharged from the Transvaal Civil Service since a policy of retrenchment was inaugurated.

I have, &c.,
SELBORNE,
Governor.

No. 3.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 5.25 p.m., 14 August, 1908.)

TELEGRAM.

14th August. No. 1. Your despatch, 13th July.† Should be glad if corresponding figures for South African Constabulary and Central South African Railways in Transvaal could be included.

Governor, Orange River Colony, has been requested to supply separate figures for these services as regards Orange River Colony and to refer to you for details. Information should, if possible, be sent in time to be laid before Parliament on reassembling.—CREWE.

No. 4.

THE SECRETARY OF STATE to THE GOVERNOR OF THE ORANGE RIVER COLONY.

(Sent 5.25 p.m., 14 August, 1908.)

TELEGRAM.

14th August. No. 1. I desire to have a statement of retrenchments in Central South African Railways and South African Constabulary since policy of retrenchment was inaugurated. Please ask Ministers if they will kindly furnish figures as regards Orange River Colony. Governor, Transvaal, who has been asked for figures as regards Transvaal, will inform you of details.—CREWE.

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* No. 1.

† No. 2.

No. 5.

The SECRETARY OF STATE to the GOVERNOR OF THE TRANSVAAL.

(Sent 11.45 a.m., 1st September, 1908.)

Telegram.

1st September. No. 1. My telegram 14th August, No. 1.* I trust your Ministers may be able to supply me with the information desired by 12th October when Parliament reassembles.

Return will not be confined to period under self-government but should, I suggest, begin from 1st January, 1903, so as to cover the whole period during which policy of retrenchment has been found necessary.

In case of Civil Servants full return asked for in my despatch of 3rd June† desirable, with date of retrenchment. In case of South African Constabulary and Central South African Railways, numbers of those retrenched month by month will, I think, be sufficient.

Please repeat to Governor, Orange River Colony.—Crewe.

No. 6.

The SECRETARY OF STATE to the GOVERNOR OF THE ORANGE RIVER COLONY.

(Sent 12.5 p.m., 1st September, 1908.)

Telegram.

1st September. No. 1. My telegram, No. 1, 14th August.‡ Referring to message of to-day§ which you will receive from Governor, Transvaal, I trust Ministers will be able to furnish return on same lines relating to Civil Servants as well as Central South African Railways and South African Constabulary.—Crewe.

No. 7.

The GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received 6.15 p.m., 9th September, 1908.)

Telegram.

9th September. No. 1. Your telegram 1st September, No. 1.§ Ministers fear that it will be impossible to put you in possession of complete return of retrenchments from Transvaal public service before 12th October owing to amount of research involved. They hope to be able to send by mail of 21st September, due in London 10th October, return of retrenchments in all ordinary public departments but returns from South African Constabulary and Railways will take some time longer.

As to suggestion that returns should cover period from 1st January, 1903, Ministers state that returns now being prepared extend over the five years from 1st July, 1903, to 30th June, 1908, therefore cover whole period during which policy of retrenchment has been necessary. They add that to supply dates of retrenchment, even excluding Constabulary and Railways, would involve serious additional labour. Returns of ordinary departments are being classified under financial years and Ministers hope that will be sufficient. As regards Constabulary and Railways,

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* No. 3. † No. 1. ‡ No. 4. § No. 5.

Ministers note that it will suffice if returns take form of monthly summary of numbers retrenched. They assume from this that particulars of compensation are not required in case of Constabulary and Railways. So far preparation of returns of Constabulary and Railway retrenchment has been commenced with same degree of elaboration as in case of ordinary departments of Civil Service, and this has involved great deal of time and labour.—SELBORNE.

No. 8.

THE SECRETARY OF STATE to THE GOVERNOR OF THE TRANSVAAL.

(Sent 2.10 p.m., 12th September, 1908.)

TELEGRAM.

12th September. No. 2. Your telegram, No. 1, 9th September.* I agree generally to what Ministers propose. What is desired is to have by meeting of Parliament fullest possible details of retrenchments on lines already stated which they can produce in time; detailed particulars of compensation South African Constabulary and Railways not essential.

Ministers' readiness to assist much appreciated.

Presume that Orange River Colony Government aware that Transvaal returns will leave 21st September.—CREWE.

No. 9.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received 8.25 p.m., 8th October, 1908.)

TELEGRAM.

8th October. A. Referring to my despatches 21st September, 28th September,† Ministers point out that in case of retrenchments effected in the Transvaal Town Police and in South African Constabulary a distinction will be drawn between men whose services were dispensed with on reduction of establishment and those who voluntarily resigned rather than accept new conditions of service. Of the non-commissioned officers and men of the South African Constabulary, 601 went voluntarily, and most of these went in 1906 when the conditions of service were altered in accordance with recommendations of South African Constabulary Committee. 406 non-commissioned officers and men of the Transvaal Town Police retired this year in similar circumstances. Both in case of South African Constabulary and of police men retiring in preference accepting new conditions were given same treatment as men compulsorily retrenched.—SELBORNE.

No. 10.

THE GOVERNOR OF THE TRANSVAAL to THE SECRETARY OF STATE.

(Received October 10, 1908.)

MY LORD, Governor's Office, Johannesburg, 21st September, 1908.

I HAVE the honour to enclose, for your information, a copy of Ministers' Minute on the subject of a return of officials retrenched from the Transvaal Public

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* No. 7.

† Nos. 10 and 11.

Service and from the Transvaal section of the Central South African Railways Administration within the period 1st July, 1903, to 30th June, 1908.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 10.

Prime Minister's Office, Pretoria, 17 September, 1908.

With reference to His Excellency the Governor's minute, No. 13/10/08, of the 14th September, 1908,* Ministers have the honour to forward herewith, for transmission to the Right Honourable the Secretary of State for the Colonies, a return of officials retrenched from the Transvaal Public Service and from the Transvaal section of the Central South African Railways Administration within the period 1st July, 1903, to 30th June, 1908. His Excellency will observe that the list of railway retrenchments has been prepared with the same degree of elaboration as in the case of ordinary Departments of the Colonial Service, as it was found that the preparation of this return had reached a stage at which completion on these lines involved less labour than would have been occasioned by the re-casting of the statement on the lines suggested in the Colonial Office telegram, No. 1, of the 1st instant.†

With regard to the list of retrenchments effected in the South African Constabulary, Ministers have the honour to state that it has been found impossible to furnish His Excellency with this list in time for despatch by the mail of the 21st instant. A monthly summary of the numbers retrenched from the force is, however, being prepared with the utmost expedition, and will be transmitted to His Excellency at the earliest date possible.

Ministers regret that the time at their disposal has been insufficient to admit of the returns being printed before despatch from this Colony as was the original intention. Should it be decided to have the returns printed for presentation to the House of Commons, Ministers would be glad if they could be furnished with two hundred copies.

LOUIS BOTHA.

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* Not printed.

† No. 5.

RETURN OF OFFICERS, OTHER THAN TEMPORARY OFFICERS, WHO HAVE BEEN RETRENCHED DURING THE PERIOD 1ST JULY, 1903, TO THE 30TH JUNE, 1908.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.*						
		Pension Awarded per Annum.	Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Any other Compensation.		Total Compensation, exclusive of Pension.
						Nature.	Amount.	
GOVERNOR'S DEPARTMENT.								
1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
COOKE, H. J., Head Messenger	360 0 0	98 0 0	360 0 0	—	—	—	—	360 0 0
GILLILAND, W. E., Confidential Clerk ...	500 0 0	—	238 5 2	250 0 0	—	—	—	488 5 2
SHORT, J., Clerk	500 0 0	—	285 13 0	63 16 10	—	—	—	349 9 10
TURNER, H. S., Clerk	400 0 0	—	198 2 3	135 9 8	—	—	—	333 11 11
			1,082 0 5	449 6 6				1,531 6 11
LIEUTENANT-GOVERNOR'S DEPARTMENT.								
1906–07.								
KIRK, J. C., Clerk	285 0 0	—	95 12 10	32 7 5	—	—	—	128 0 3
RYDER, S. E., Clerk	320 0 0	—	97 7 11	71 16 9	—	—	—	169 4 8
			193 0 9	104 4 2				297 4 11
LEGISLATIVE COUNCIL—Nil.								
LEGISLATIVE ASSEMBLY.								
20th March, 1907, to 20th June, 1908.								
ANDERSON, G. B., Record Clerk	340 0 0	—	110 17 1	152 6 10	—	—	—	263 3 11
DUFFIN, B. W., Senior Clerk	550 0 0	—	212 0 1	63 3 6	—	—	—	275 3 7
PRIME MINISTER'S DEPARTMENT.								
1907–08.								
FAURE, L. J DE V., Chief Clerk	600 0 0	—	264 7 8	178 6 8	55 0 0	Salary in lieu of notice.	50 0 0	547 14 4

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* COLONIAL OFFICE NOTE.—When any of the columns under "Compensation Granted" are omitted in the later pages it is to be understood that no compensation of the kind specified in the column was awarded, except where shown in footnotes.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
AGRICULTURE AND FORESTS' DEPARTMENT, 1906–07.												
Borcherds, D., Clerk	216	0	0	29	17	3	30	3	7	60	0	10
Bewers, T., Stock Inspector	240	0	0	20	0	0	25	16	1	45	16	1
Coleman, J., Stock Inspector	240	0	0	71	14	5	101	0	0	172	14	5
Crocker, S., Stock Inspector	240	0	0	38	15	5	44	13	4	83	8	9
D'Anvers, F., Stock Inspector	240	0	0	35	17	6	39	7	1	75	4	7
Dunkley, J. C., Stock Inspector	240	0	0	75	0	0	14	14	2	89	14	2
Eastwood, A. K., Forest Officer	300	0	0	102	1	8	58	1	3	160	2	11
Griffin, L. T., Taxidermist	400	0	0	227	15	7	200	0	0	427	15	7
Hodder, S., Locust Officer	400	0	0	120	10	0	—			120	10	0
Horsbrugh, C. B., Clerk	240	0	0	23	18	9	27	12	3	51	11	0
Lane, D., Stock Inspector	240	0	0	36	19	11	39	7	1	76	7	0
Maxwell-Lyte, J. M., Assistant-Horticulturist.	360	0	0	128	1	6	—			128	1	6
Nicholson, H., Farm Manager	450	0	0	153	1	7	192	10	0	345	11	7
Paterson, J. S., Stock Inspector	240	0	0	38	6	8	45	6	8	83	13	4
Peel, H. A., Poultry Assistant	300	0	0	106	16	0	132	18	4	239	14	4
Pollard, J., Government Veterinary Surgeon.	500	0	0	201	4	7	60	1	2	261	5	9
Vessfeld, E. W. F., Clerk	380	0	0	105	13	0	33	14	3	139	7	3
				1,515	13	10	1,045	5	3	2,560	19	1
1907–08.												
Favre, C., Laboratory Assistant	400	0	0	98	2	8	107	10	6	205	13	2
Heron, E., Laboratory Assistant	340	0	0	161	16	0	74	18	11	236	14	11
King, H. E., Clerk	500	0	0	144	18	9	247	16	8	392	15	5
Wagstaff, S. W., Librarian	340	0	0	139	15	10	162	18	4	302	14	2
				544	13	3	593	4	5	1,137	17	8
COLONIAL SECRETARY'S DEPARTMENT. Nil 1903–4. 1904–5.												
Burgess, E. J., Superintendent, Asiatics, Johannesburg.	500	0	0	...			250	0	0	250	0	0
Fox Symons Dr., District Inspector of Hospitals.	1,200	0	0	1,200	0	0	...			*1,521	7	5
										£1,771	7	5
1905–6.												
Bolden, S. G., Clerk, Burgher Lands	360	0	0	90	0	0	...			90	0	0
Burton, A., Clerk, Burgher Lands	420	0	0	105	0	0	...			105	0	0
Logan, A. C., Clerk, Burgher Lands	480	0	0	120	0	0	...			120	0	0
Widenbarr, A. H., Accountant, Burgher Lands.	930	0	0	232	10	0	...			232	10	0
										£547	10	0
1906–7.												
Blanckenberg, C. H., Clerk, Colonial Secretary's Office.	550	0	0	659	15	0	216	4	6	†922	19	10
Bolden, S. G., Clerk, Burgher Lands	340	0	0	40	16	8	...			40	16	8
Curtis, L., Assistant Colonial Secretary.	1,500	0	0	429	1	11	240	1	4	669	3	3
Tillotson, A. G., Clerk, Health Department.	275	0	0	73	4	2	...			73	4	2
										£1,706	3	11
1907–8.												
Barker, H. J., Typist, Asiatic Department.	300	0	0	122	18	4	85	16	11	208	15	3
Boyton, A. E., Clerk, Births and Deaths.	290	0	0	93	12	4	110	18	7	204	10	11
Burgess, E. J., Coast Agent, Asiatic Department.	500	0	0	67	9	1	75	5	5	142	14	6

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* Including £321 7*s.* 5*d.* Railway and Steamship fares.

† Including £46 Detention allowance and £1 0*s.* 4*d.* Railway fares.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
COLONIAL SECRETARY'S DEPARTMENT—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1907-8—*cont.*				
BURRY A. E. PURNELL, Clerk, Colonial Secretary's Office.	240 0 0	57 19 7	62 15 2	120 14 9
CODY, R. T., Clerk, Asiatic Department.	240 0 0	31 6 4	34 16 9	66 3 1
DICKSON, S. A., Clerk, Colonial Secretary's Office.	320 0 0	130 16 2	30 10 2	161 6 4
DWYER, M., Clerk, Colonial Secretary's Office.	380 0 0	129 11 11	28 5 9	157 17 8
FINCHER, Miss A., Matron, Pretoria Lazaretto and Observation Home.	327 6 8	91 17 6	...	91 17 6
FORRESTER, D., Storekeeper, Health Department.	240 0 0	75 0 0	...	75 0 0
FORSTER, R. H., Clerk, Colonial Secretary's Office.	380 0 0	133 9 10	175 15 0	309 4 10
HARDENBURG, Miss M., District Nurse, Pretoria.	387 0 0	96 6 5	...	96 6 5
MCKENZIE, Miss G. M. M., Matron, Pietersburg Hospital.	327 6 8	135 16 9	30 14 8	166 11 5
RANDALL, Miss, Hospital Matron ...	300 0 0	121 5 10	97 11 8	218 17 6
SANSOM, Dr., District Medical Officer of Health, Witwatersrand.	1,200 0 0	640 18 8	406 9 0	*1,147 7 8
SIMPSON, A., Dispenser, Pretoria Free Dispensary.	315 0 0	179 14 8	135 14 6	315 9 2
SQUIBB, J. D., Clerk, District Medical Officer of Health, Johannesburg.	360 0 0	143 2 5	171 0 0	314 2 5
SWEET, S., Clerk, Asiatic Department.	240 0 0	50 0 0	47 6 8	97 6 8
THOMAS, H., Typist, Colonial Secretary's Office.	300 0 0	109 0 4	134 5 6	243 5 10
WATKINS, O. F., Clerk, Colonial Secretary's Office.	320 0 0	84 18 9	4 6 0	89 4 9
				£4,226 16 8
LUNACY DEPARTMENT.				
1903-1904—Nil.				
1904-1905—Nil.				
1905-1906—Nil.				
1906-1907.				
OXLEE, EDWARD, Second Clerk ...	272 0 0	21 13 4	21 13 4	43 6 8
1907-1908.				
LYALL, GEORGE, Clerk to Asylum ...	413 0 0	200 12 1	82 2 9	282 14 10

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	Compensation of Three Months' Salary.	Total Compensation.
TRANSVAAL VOLUNTEER DEPARTMENT.	£ s. d.		£ s. d.	£ s. d.
1903-1904.				
CARTTER, G. P., Sergeant-Instructor	240 0 0	—	60 0 0	60 0 0
WALKER, M. E., Staff-Sergeant Clerk	270 0 0	—	67 10 0	67 10 0
TOTALS—1903-1904... ...	—	—	127 10 0	127 10 0
1904-1905.				
CRANEY, J., Sergeant-Instructor ...	300 0 0	—	75 0 0	75 0 0
CRONIN, C., Sergeant-Instructor ...	240 0 0	—	60 0 0	60 0 0
KING, C., Sergeant-Instructor ...	300 0 0	—	75 0 0	75 0 0
REID, H. D., Sergeant-Instructor ...	270 0 0	—	67 10 0	67 10 0
VIALLS, O. J., Sergeant-Instructor ...	240 0 0	—	60 0 0	60 0 0
WAUCHOPE, F. H., Sergeant-Instructor	300 0 0	—	75 0 0	75 0 0
PEARCE, F., Sergeant-Instructor ...	270 0 0	—	67 10 0	67 10 0
TOTALS—1904-1905... ...	—	—	480 0 0	480 0 0

* £100 for part loss of Motor Car.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	Compensation of Three Months' Salary.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
TRANSVAAL VOLUNTEER DEPARTMENT—*cont.*				
1905–1906.				
Brook, H. S., Captain and Adjutant ..	700 0 0	100 0 0	175 0 0	275 0 0
Totals—1905–1906... ...	—	100 0 0	175 0 0	275 0 0
1906–1907.				
Culmer, W. A., Sergeant-Instructor..	270 0 0	11 12 0	67 10 0	79 2 0
Timbrell, W. A., Sergeant-Instructor	240 0 0	11 12 0	60 0 0	71 12 0
Totals—1906–1907... ...	—	23 4 0	127 10 0	150 14 0
1907–1908.				
Barnes, M. E., Sergeant-Instructor...	240 0 0	0 11 7	60 0 0	60 11 7
Beck, F. W., Sergeant-Clerk... ...	240 0 0	—	Nil.	Nil.
Besant, P. E., Captain and Adjutant	700 0 0	45 11 9	175 0 0	220 11 9
Burgess, R. B., Quatermaster-Sergeant.	270 0 0	—	67 10 0	67 10 0
Burgoyne, R. M., Captain & Adjutant	700 0 0	45 11 9	*13 3 5	58 15 2
Burton, J. S. A., Quartermaster Sergeant.	270 0 0	...	...	§109 12 0
Caister, P. C., Sergeant-Clerk ...	240 0 0	...	60 0 0	60 0 0
Cameron, J., Sergeant-Instructor ...	240 0 0	...	60 0 0	60 0 0
Campbell, L., Sergeant-Instructor	240 0 0	...	...	§90 11 0
Corbett, R. E., Major and Staff Officer.	700 0 0	...	†58 6 8	58 6 8
Covington, G., Sergeant-Instructor	240 0 0	...	60 0 0	60 0 0
Crawford, J., Quartermaster Sergeant.	270 0 0	...	67 10 0	67 10 0
English, H. W., Sergeant-Clerk ...	240 0 0	...	60 0 0	60 0 0
Farrell, F. H., Sergeant-Clerk ...	240 0 0	...	60 0 0	60 0 0
Fitch, H. G. R., Assistant Armourer	210 0 0	..	52 10 0	52 10 0
Forsythe, G. H, Regimental Sergeant-Major.	300 0 0	45 8 4	75 0 0	120 8 4
Gargrave, H., Superintending Clerk	390 0 0	...	...	§186 17 6
Grant, R. G., Staff Sergeant-Clerk.	240 0 0	...	60 0 0	60 0 0
Greenberg, I., Quartermaster-Sergeant.	270 0 0	...	...	§129 7 6
Heatley, W. B., Sergeant-Instructor.	240 0 0	...	60 0 0	60 0 0
Keane, T. F., Staff Sergeant-Clerk	300 0 0	...	75 0 0	75 0 0
Lamont, J. W. F. Major, Chief Staff Officer.	1,000 0 0	88 1 6	...	‡588 1 6
Langley, F. W., Quartermaster-Sergeant.	270 0 0	67 18 11	67 10 0	135 8 11
Lockwood, D. L., Sergeant-Instructor.	240 0 0	...	60 0 0	60 0 0
Marks, W., Sergeant-Instructor ...	240 0 0	...	60 0 0	60 0 0

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* Seven days' salary only.

† One month's salary only.

‡ Includes £500 cash equivalent of leave actually earned.

§ Gratuity in respect of service.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	Compensation of Three Months' Salary.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
TRANSVAAL VOLUNTEER DEPARTMENT—*cont.*				
Maxwell, J. M., Sergeant-Instructor.	240 0 0	12 3 6	60 0 0	72 3 6
Mayes, S. S, Rangeman	210 0 0	...	...	†65 10 6
McClelland, G. E., Sergeant-Instructor.	240 0 0	...	60 0 0	60 0 0
McIntosh, J., Sergeant-Instructor ...	240 0 0	10 9 11	60 0 0	70 9 11
Mumford, J., Sergeant-Instructor ...	240 0 0	...	60 0 0	60 0 0
Orr, J. B., D.S.O., Captain and Adjutant.	700 0 0	46 1 9	175 0 0	221 1 9
Parker, H. S., Sergeant-Instructor...	270 0 0	16 8 0	67 10 0	83 18 0
Rice, C. E., Captain and Adjutant.	700 0 0	...	175 0 0	175 0 0
Riley, J. W., Sergeant-Clerk ...	270 0 0	...	67 10 0	67 10 0
Robins, G., Sergeant-Instructor ...	240 0 0	...	60 0 0	60 0 0
Scott, J. D., Sergeant-Clerk ...	240 0 0	...	60 0 0	60 0 0
Smith, J., Sergeant Instructor ...	240 0 0	11 12 2	60 0 0	71 12 2
Stoker, T., Sergeant-Instructor ...	270 0 0	...	67 10 0	67 10 0
Sulivan, E., Sergeant-Instructor ...	240 0 0	...	...	†112 4 0
Sykes, G. R., Shorthand Clerk and Typist.	240 0 0	...	Nil.	Nil.
Thompson, J. B., Sergeant-Instructor	240 0 0	...	60 0 0	60 0 0
Vaughan, E., Major and Adjutant.	700 0 0	46 1 9	175 0 0	221 1 9
Wasson, J., Regimental Sergeant-Major.	300 0 0	..	...	†140 1 4
Welby, J. A., Sergeant-Instructor ...	240 0 0	12 3 6	60 0 0	72 3 6
Wilson, A. H., Regimental Sergeant-Major.	300 0 0	32 19 3	75 0 0	107 19 3
Willett, E., Storeman	210 0 0	...	52 10 0	52 10 0
Totals, 1907–1908	...	481 3 8	2,646 10 1	4,461 17 7

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Services	Cash equivalent for leave actually earned.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
EDUCATION DEPARTMENT.				
1903–4.				
Bangley, C., Inspector of Schools ...	500 0 0	...	250 0 0	250 0 0
Dwyer, Captain, Inspector of Orphanages.	480 0 0	...	—	*44 2 0
Robinson, G. M., Inspector of Schools	500 0 0	...	250 0 0	250 0 0
Stoney, W., Registrar	500 0 0	...	207 19 4	207 19 4
		...	£707 19 4	£752 1 4
1904–5. (Nil.)				
1905–6.				
Darley, H. B., Clerk	275 0 0	85 5 2	32 1 8	117 6 10
Keatinge, A. B., Clerk	255 0 0	62 2 1	95 12 6	157 14 7
von der Veen, W. H., Clerk ...	300 0 0	125 12 4	112 10 0	238 2 4
		£272 19 7	£240 4 2	£513 3 9

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* Railway and Steamship Fares.

† Gratuity in respect of Service.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
EDUCATION DEPARTMENT— *cont.*	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1906–7.												
White, A., Inspector of Schools ...	400	0	0	180	15	10	146	13	4	327	9	2
				£180	15	10	£146	13	4	£327	9	2
1907–8.												
Cooke, H. S., Inspector of Schools ...	700	0	0	312	17	0	105	7	7	418	4	7
Richey, J. A., Sub-Inspector of Schools	450	0	0	210	2	1	101	12	3	311	14	4
				£522	19	1	£206	19	10	£729	18	11
LAW DEPARTMENT.												
1902–03.												
Ousley, R. G., R.M., Middelburg ...	1,000	0	0	...			250	0	0	*370	0	0
Stone, F. G., R.M., Standerton ...	1,000	0	0	...			...			†14	19	1
										£384	19	1
1903–04.												
Carter, A. T. **Bonham**, A.R.M., Rustenburg.	600	0	0	...			nil.‡					
Cook, H. **Kemball**, R.M., Rustenburg	1,000	0	0	...			375	0	0	375	0	0
Drake, R. J., A.R.M., Piet Retief ...	600	0	0	...			86	4	2	86	4	2
Hugo, H., A.R.M., Nylstroom ...	600	0	0	...			150	0	0	150	0	0
Jones, A. W., Public Prosecutor, Heidelburg.	380	0	0	...			63	6	8	63	6	8
Logan, E. R., Acting A.R.M., Pretoria	600	0	0	...			150	0	0	150	0	0
Malcolmson, J., A.R.M., Germiston	700	0	0	...			175	0	0	175	0	0
										£999	10	10
1904–05.												
Cowie, H. H., A.R.M., Pretoria ...	600	0	0	...			225	0	0	£225	0	0
1905–06.												
Bates, R. W. M., Clerk, Nylstroom...	275	0	0	113	3	7	59	11	8	172	15	3
Beatty, K. J., A.R.M., Louis Trichardt.	600	0	0	191	6	3	258	6	8	449	12	11
Bentinck, W. G., R.M., Wakkerstroom	1,000	0	0	457	15	7	403	4	6	861	0	1
Black, C. W., Acting Public Prosecutor, Boksburg.	400	0	0	147	13	7	37	13	9	185	7	4
Bolton, W. N., R.M., Pietersburg ...	1,000	0	0	418	5	4	485	11	7	903	16	11
Bowes, J. A., Shorthand Reporter, Supreme Court.	300	0	0	22	16	5	29	18	10	52	15	3
de Guerin, T. S. V., Clerk, Carolina	260	0	0	82	14	0	110	17	2	193	11	2
Edwards, J., Reporter, Supreme Court.	200	0	0	13	17	9	14	10	4	28	8	1
Hughes, A. M., Inspector of Prisons	1,000	0	0	523	19	10	441	10	7	965	10	5
Huneberg, N., Clerk, Middelberg...	200	0	0	19	1	2	23	14	6	42	15	8
John, S. **D'Oyly**, Clerk, Germiston	300	0	0	133	6	8	98	3	2	231	9	10
Kerr, J. G., A.R.M., Johannesburg...	800	0	0	398	16	7	231	2	2	629	18	9
Lamb, A. E., Reporter, Supreme Court	600	0	0	103	5	9	84	1	8	187	7	5
Law, J. H., Reporter, Supreme Court	380	0	0	41	6	3	51	4	3	92	10	6
Leonard, F. H. E., Clerk, Roodepoort	300	0	0	101	4	10	135	7	10	236	12	8
Lloyd, R. O., Clerk, Johannesburg ...	250	0	0	43	4	9	29	6	10	72	11	7
Loney, P. J., Clerk, Christiana	340	0	0	143	10	6	115	18	2	259	8	8
McCarter, H. B. A., Clerk, Barberton.	300	0	0	116	12	4	73	11	3	190	3	7
Nisbet, H. A., A.R.M., Potchefstroom	600	0	0	248	0	6	289	12	5	537	12	11
O'Flanagan, D. G., Clerk, Louis Trichardt.	260	0	0	34	13	6	39	2	10	73	16	4
Philp, T., Reporter, Supreme Court	300	0	0	23	7	11	29	18	7	53	6	6
Rolleston, G. H. F., R.M., Lichtenburg.	1,000	0	0	416	11	5	104	16	9	521	8	2
				Carried forward ...						£6,942	0	0

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* Including steamship fare to England, £98 14*s.* 0*d.*; Rail fare to Coast, £21 6*s.* 0*d.* † Rail fare to Coast.

‡ Offered gratuity equivalent to three months' leave with full pay, of which he did not avail himself.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
LAW DEPARTMENT—*cont.*				Brought forward ...						£,6942	0	0
1905–6—*cont.*												
ROUTLEDGE, M. H., Clerk, Krugersdorp.	360	0	0	139	14	3	144	13	7	284	7	10
RUGGLES, N. C., A.R.M., Boksburg ...	600	0	0	248	0	6	275	15	0	523	15	6
STEIN, I., Clerk, Barberton	300	0	0	79	17	0	8	19	3	88	16	3
WHITE, G., Reporter, Supreme Court	400	0	0	43	13	6	53	18	2	97	11	8
WHYTE, H. L. de BURGH, Acting Public Prosecutor, Germiston.	420	0	0	167	18	3	44	3	8	212	1	11
WINTER, R. H., Reporter, Supreme Court.	300	0	0	23	9	4	30	15	0	54	4	4
										£8,202	17	6
1907–8.												
BAINES, E. H. M. T., A.R.M., Johannesburg.	800	0	0	513	17	9	216	2	7	730	0	4
BERRY, J., Clerk, Pretoria	290	0	0	126	18	0	53	4	8	180	2	8
BLACKLOCK, J., R.M., Middelburg ...	1,000	0	0	498	12	4	422	4	6	920	16	10
BOND, C. N., Clerk, Pietersburg ...	380	0	0	192	10	0	190	0	0	382	10	0
CARSTAIRS, H. G., Acting A.R.M., Pretoria.	500	0	0	215	18	0	100	15	8	316	13	8
COLLEY, G. H. Pomeroy, A.R.M., Johannesburg.	800	0	0	477	19	4	179	15	9	657	15	1
JONES, E. P., Clerk, Pretoria ...	360	0	0	193	12	3	89	15	2	283	7	5
KNAPMAN, G. W., Clerk, Attorney-General's Office.	440	0	0	221	13	3	89	17	11	311	11	2
MCNEVIN, T. B., Clerk, Johannesburg	250	0	0	56	1	3	66	10	7	122	11	10
MCINERNEY, T. M., R.M., Barberton	1,000	0	0	500	0	0	72	11	7	*637	19	6
PLAYFORD, L. L., Chief Magistrate, Johannesburg.	1,500	0	0	867	6	6	504	18	2	1,372	4	8
QUARTON, A. J., Clerk, Johannesburg	380	0	0	172	10	0	95	0	0	267	10	0
YOUNG, H. A., A.R.M., Pretoria ...	600	0	0	271	19	1	112	18	1	384	17	2
										£6,568	0	4
TRANSVAAL TOWN POLICE DEPARTMENT.												
1905–6.												
BELL, A. V., Inspector	500	0	0	127	13	2	200	5	4	327	18	6
BURRAGE, J., Inspector	600	0	0	280	5	6	196	6	4	476	11	10
DE KOCK, A. N., Sub-Inspector ...	550	0	0	219	17	2	135	12	8	355	9	10
TOTAL 1905–6	...			627	15	10	532	4	4	1,160	0	2
1906–7.												
ASHBY, G., Detective	365	0	0	189	16	5	94	0	0	283	16	5
BLACKING, E., Detective	500	0	0	274	6	1	142	9	5	416	15	6
BRAND, E. C. J., Detective	500	0	0	312	10	0	129	0	8	441	10	8
CUFFLEY, W. F., Detective	400	0	0	183	6	8	77	15	7	261	2	3
DOUGHERTY, G., Miss, Typist ...	250	0	0	112	16	11	8	14	9	121	11	8
GAUM, F. L., Detective	400	0	0	163	17	9	110	15	1	274	12	10
NEWSON, W., Sub-Inspector	650	0	0	338	10	10	183	9	4	522	0	2
O'RORKE, L. W., Detective	400	0	0	118	2	2	4	6	0	122	8	2
SHERAR, C., Detective	400	0	0	167	3	11	113	19	7	281	3	6
SINGLETON, M. L., Detective ...	400	0	0	169	17	9	...			169	17	9
TOTAL 1906–7	...			2,030	8	6	864	10	5	2,894	18	11
1907–8.												
ABBOTT, R., Constable	191	13	0	42	9	8	...			42	9	8
ACTON, A. V. E., Clerk	180	0	0	17	10	0	18	7	8	35	17	8
ADAMS, J., Trooper	210	6	0	91	5	4	...			91	5	4
AITKEN, J. W., Constable	213	2	0	106	8	8	...			106	8	8
ALEXANDER, E. P., Detective ...	328	10	0	162	4	9	58	0	0	220	4	9
ALLUM, W., Constable	237	9	0	130	19	5	...			130	19	5
ANDERSON, C., Detective	365	0	0	184	10	8	73	6	8	257	17	4

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* Including free transport of furniture, £65 7*s.* 11*d.*

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907-8—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Anderson, W. T., Sergeant, 2nd Grade.	280	10	0	159	3	9	...			159	3	9
Appleton, W., Constable	236	14	0	113	9	6	...			113	9	6
Arthur, J., Constable	213	2	0	127	5	4	...			127	5	4
Atkins, T., Constable	227	6	0	69	5	6	...			69	5	6
Bachlog, T., Constable	210	17	0	94	4	10	...			94	4	10
Bailey, W. A. C., Trooper	208	1	0	79	6	1	...			79	6	1
Baker, S., Constable	211	4	0	104	12	4	...			104	12	4
Baldwin, F., Constable	213	2	0	127	5	4	...			127	5	4
Balfe, E. M., Trooper	200	9	0	57	11	6	...			57	11	6
Balfe, M. T., Trooper	199	4	0	51	2	5	...			51	2	5
Ball, F., Trooper	211	9	0	97	9	11	...			97	9	11
Bambock, J., Constable	236	4	0	110	1	3	...			110	1	3
Banks, E., Constable	210	9	0	92	2	5	...			92	2	5
Barnes, F., Trooper	213	2	0	127	5	4	...			127	5	4
Barnes, J., Trooper	203	5	0	61	5	0	...			61	5	0
Barnott, J., Constable	213	1	0	106	4	3	...			106	4	3
Barrows, F. S., Constable	201	13	0	59	7	4	...			59	7	4
Beer, V. C., Trooper	192	15	0	28	17	2	...			28	17	2
Bell, J., Constable	213	1	0	106	3	4	...			106	3	4
Bell, Booth R., Constable	203	5	0	61	5	0	...			61	5	0
Bengough, H. G. L., Constable	191	15	0	31	3	11	...			31	3	11
Benson, T. B., Trooper	209	8	0	86	12	2	...			86	12	2
Benton, E., Constable	197	1	0	32	3	0	...			32	3	0
Bethel, F., Trooper	211	6	0	100	2	4	...			100	2	4
Biddle, H. J., Constable	191	12	0	30	10	9	...			30	10	9
Bingham, A., Constable	197	1	0	32	7	6	...			32	7	6
Blair, H., Constable	210	12	0	92	17	2	...			92	17	2
Blyth, S., Sergeant, 2nd Grade	246	17	0	115	11	9	...			115	11	9
Boulton, C., Constable	208	8	0	90	3	2	...			90	3	2
Brown, J., Constable	208	7	0	80	18	2	...			80	18	2
Burgis, G., Constable	213	2	0	127	5	4	...			127	5	4
Burroughs, J., Constable	198	3	0	38	19	8	...			38	19	8
Burton, J. G., Constable	237	9	0	131	14	7	...			131	14	7
Butler, W. M., Trooper	204	16	0	65	17	9	...			65	17	9
Butler, T., Constable	211	0	0	104	14	2	...			104	14	2
Butter, J., Constable	212	8	0	102	15	10	...			102	15	10
Butters, W. J., Constable	206	0	0	80	5	0	...			80	5	0
Butt, W., Constable	202	8	0	33	12	6	...			33	12	6
Byrne, J. J., Constable	197	6	0	44	4	0	...			44	4	0
Cadman, T., Constable	195	12	0	35	6	0	...			35	6	0
Callow, H. C., Sergeant	248	4	0	125	1	3	...			125	1	3
Cammer, M., Sergeant	308	7	0	176	3	0	...			176	3	0
Campbell, D., Trooper	207	14	0	77	10	9	...			77	10	9
Campbell, A., Constable	204	12	0	41	19	0	...			41	19	0
Carlisle, P., Constable	212	18	0	105	12	1	...			105	12	1
Chapman, E. S., Inspector	700	0	0	443	3	2	302	9	0	745	12	2
Chapman, T., Trooper	198	7	0	43	9	5	...			43	9	5
Chappell, H. J., Trooper	193	16	0	27	4	6	...			27	4	6
Chearnley, C., Trooper	197	18	0	40	17	0	...			40	17	0
Chesher, G. E., Sergeant	327	14	0	195	14	2	...			195	14	2
Chester, J., Constable	210	7	0	91	12	5	...			91	12	5
Claffey, T., Detective	365	0	0	154	11	11	...			154	11	11
Clare, W., Constable	233	2	0	88	14	10	...			88	14	10
Clark, H., Constable	217	10	0	79	18	8	...			79	18	8
Clarke, H. T., Trooper	209	5	0	100	7	3	...			100	7	3
Clegg, J., Constable	228	7	0	94	6	10	...			94	6	10
Clinch, W., Detective	328	10	0	127	16	0	...			127	16	0
Cole, M., Constable	197	1	0	33	10	4	...			33	10	4
Comerford, J., Constable	229	7	0	114	6	8	...			114	6	8
Comyn, N. V. C., Inspector	500	0	0	298	12	3	239	4	11	537	17	2
Connolly, A., Constable	213	2	0	127	5	4	...			127	5	4
Connor, C., Constable	213	2	0	113	4	0	...			113	4	0
Cooper, R. F., Trooper	198	1	0	51	6	10	...			51	6	10

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907–8—*cont.*												
Cormack, T., Constable	226	1	0	58	17	2	...			58	17	2
Cornish, H. B., Trooper	200	18	0	59	13	11	...			59	13	11
Cornish, F. C., Constable	213	2	0	106	10	7	...			106	10	7
Corsar, F., Constable	212	13	0	104	3	11	...			104	3	11
Cox, P., Trooper	203	5	0	84	13	9	...			84	13	9
Craig, W., Constable	237	9	0	126	8	1	...			126	8	1
Crathern, J. B., Constable	215	12	0	44	0	3	...			44	0	3
Cunningham, A., Sergeant	291	7	0	149	14	5	...			149	14	5
Cunningham, J., Trooper	210	0	0	104	4	3	...			104	4	3
Cutter, H. G., Trooper	213	2	0	123	4	4	...			123	4	4
Davies, A., Constable	197	1	0	32	3	0	...			32	3	0
Davies, J. W., Trooper	196	17	0	44	7	6	...			44	7	6
Davies, R. D., Detective	400	0	0	163	11	7	...			163	11	7
Dedden, G., Sergeant	331	6	0	197	17	2	...			197	17	2
Delaney, F. J., Constable	191	18	0	32	12	10	...			32	12	10
Denvir, E., Constable	209	14	0	88	2	10	...			88	2	10
Dixon, J., Constable	193	1	0	42	6	0	...			42	6	0
Dowding, A. G., Constable	237	9	0	141	16	3	...			141	16	3
Doyle, P., Constable	203	15	0	62	11	8	...			62	11	8
Drew, E. T., Constable	210	4	0	90	13	11	...			90	13	11
Drury, C. W., Trooper	208	11	0	82	1	2	...			82	1	2
Duckett, J., Trooper	203	9	0	61	16	4	...			61	16	4
Duguenoy, M., Superintendent	372	5	10	246	18	7	...			246	18	7
Duncan, W., Constable	237	9	0	118	14	6	...			118	14	6
Dupen, H. W., Constable	225	13	0	60	12	6	...			60	12	6
DuPlooy, J. H., Constable	226	15	0	65	15	0	...			65	15	0
Durant, P. W., Detective	328	10	0	169	14	0	70	0	0	239	14	0
Dusey, P., Constable	235	9	0	104	12	5	...			104	12	5
Duxbury. J, H., Trooper	197	11	0	35	2	2	...			35	2	2
Dwyer, T. J., Constable	196	11	0	44	6	2	...			44	6	2
Dyce, C., Constable	213	9	0	127	5	4	...			127	5	4
Eather, G. W., Trooper	207	5	0	75	3	5	...			75	3	5
Eckersley, A., Sergeant	287	3	0	164	0	10	...			164	0	10
Eckford, H. T., Constable	196	2	0	52	9	4	...			52	9	4
Ellerton, W. C., Trooper	205	11	0	83	8	0	...			83	8	0
Eyke, A. G., Constable	232	19	0	87	17	9	...			87	17	9
Ezzy, L., Trooper	228	7	0	66	13	2	...			66	13	2
Fanning, F. W., Trooper	207	15	0	95	15	10	...			95	15	10
Farley, P. J., Constable	205	14	0	82	10	0	...			82	10	0
Farrar, J. W., Constable	209	17	0	95	19	5	...			95	19	5
Finch, G. C., Constable	197	1	0	32	1	2	...			32	1	2
Finlay, J., Constable	236	8	0	111	6	10	...			111	6	10
Flanagan, B., Constable	220	19	0	75	13	11	...			75	13	11
Fleming, W., Constable	198	7	0	43	7	7	...			43	7	7
Flitton, G., Constable	202	9	0	73	13	3	...			73	13	3
Ford, W. J., Sergeant	296	14	0	177	3	11	...			177	3	11
Foulds, W. A., Trooper	191	18	0	34	19	2	...			34	19	2
Fox, T., Constable	210	8	0	91	13	10	...			91	13	10
Fraser, H., Constable	156	0	0	30	1	5	...			30	1	5
Fuge, T. W. M., Deputy Commissioner	900	0	0	537	10	0	105	9	8	642	19	8
Furneaux, S. F., Constable	145	3	0	35	10	3	...			35	10	3
Gait, N., Constable	213	2	0	127	5	4	...			127	5	4
Gall, J., Sergeant	285	16	0	154	13	0	...			154	13	0
Gallaher, H. M., Constable	213	9	0	35	10	1	...			35	10	1
Garvey, F., Trooper	202	1	0	58	0	9	...			58	0	9
Gatward, C. H., Constable	226	8	0	95	6	4	...			95	6	4
Gee, A., Constable	237	9	0	128	4	4	...			128	4	4
Geraty, D., Constable	228	4	0	103	19	11	...			103	19	11
Gibson, E., Constable	237	9	0	132	2	8	...			132	2	8
Gifford, R., Constable	231	1	0	76	0	11	...			76	0	11
Gillespie, C., Constable	212	16	0	105	0	4	...			105	0	4
Gillies, A. J., Detective	400	0	0	230	11	1	...			230	11	1
Giltiman, C. D., Constable	195	8	0	53	7	4	...			53	7	4
Goddin, J., Trooper	225	1	0	79	2	4	...			79	2	4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907–8—*cont.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Golding, J., Trooper	199 8 0	52 3 9	...	52 3 9
Gordon, D., Constable	206 0 0	90 17 7	...	90 17 7
Gordon, S., Constable	206 10 0	71 6 0	...	71 6 0
Gorrie, C., Constable	209 5 0	89 19 7	...	89 19 7
Gorst, F. A., Clerk	340 0 0	133 7 1	56 13 4	190 0 5
Gough, C. E., Constable	202 9 0	98 1 6	...	98 1 6
Grace, J., Constable	225 18 0	60 6 8	...	60 6 8
Gray, T., Constable	227 5 0	111 16 4	...	111 16 4
Greaves, W., Constable	206 5 0	69 17 7	...	69 17 7
Greig, J., Constable	197 4 0	41 18 9	...	41 18 9
Griffin, F. T., Constable	204 3 0	63 11 10	...	63 11 10
Guilfoyle, C., Sergeant	246 8 0	88 16 10	...	88 16 10
Guisti, A. D., Constable	201 14 0	34 4 3	...	34 4 3
Gunn, F. J., Sergeant	294 16 0	171 8 0	...	171 8 0
Gunn, H., Constable	211 1 0	95 9 2	...	95 9 2
Haier, T., Trooper	208 15 0	83 2 1	...	83 2 1
Hamilton, R., Sergeant	284 2 0	169 13 5	...	169 13 5
Hampton, H. B., Trooper	213 2 0	111 11 5	...	111 11 5
Hancock, A., Constable	211 7 0	96 18 5	...	96 18 5
Handy, G., Trooper	237 9 0	141 16 2	...	141 16 2
Hannant, B., Constable	229 2 0	85 19 4	...	85 19 4
Hanratty, P., Constable	237 9 0	119 10 9	...	119 10 9
Harbord, M. A., Inspector	600 0 0	311 6 11	115 6 5	426 13 4
Harland, R., Constable	205 10 0	52 1 10	...	52 1 10
Harper, W., Trooper	202 9 0	100 17 8	...	100 17 8
Harragan, W. P., Trooper	198 2 0	42 2 7	...	42 2 7
Harrington, W., Sergeant	321 4 0	191 4 2	...	191 4 2
Harris, W., Constable	213 1 0	106 6 3	...	106 6 3
Harrison, A., Detective	365 0 0	214 4 10	106 9 0	320 13 10
Hawkins, R. O., Constable	206 13 0	71 19 10	...	71 19 10
Hawthorne, J., Sergeant	280 10 0	149 7 9	...	149 7 9
Hayden, W., Trooper	210 10 0	92 7 8	...	92 7 8
Hayes, T., Constable	213 2 0	114 16 6	...	114 16 6
Hayes, C. F., Clerk	400 0 0	252 9 4	182 4 6	434 13 10
Hayman, W. H., Trooper	208 13 0	82 8 7	...	82 8 7
Hazlett, R. E., Constable	209 16 0	88 12 3	...	88 12 3
Hearl, W., Constable	196 11 0	49 0 7	...	49 0 7
Hellett, J. E., Detective	400 0 0	230 10 5	...	230 10 5
Henry, J., Constable	209 7 0	86 4 1	...	86 4 1
Heritage, A., Constable	230 8 0	73 14 0	...	73 14 0
Hetherington, C., Sergeant	258 15 0	128 6 11	...	128 6 11
Hill, W., Constable	212 9 0	102 18 4	...	102 18 4
Hill, G., Constable	210 9 0	91 19 2	...	91 19 2
Hodges, F., Constable	211 16 0	99 14 2	...	99 14 2
Hopkins, F., Constable	198 19 0	49 17 6	...	49 17 6
Horner, N., Constable	210 13 0	93 4 4	...	93 4 4
Horton, W., Constable	235 9 0	114 5 5	...	114 5 5
Howard, C., Constable	237 9 0	136 15 8	...	136 15 8
Hugham, E., Sergeant	327 14 0	195 9 0	...	195 9 0
Hughes, H., Constable	224 7 0	111 5 8	...	111 5 8
Hughes, W. M., Trooper	212 17 0	79 17 3	...	79 17 3
Humphreys, F., Detective	328 10 0	129 18 11	105 0 0	234 18 11
Hunter, L., Trooper	228 1 0	90 5 0	...	90 5 0
Hurley, E., Constable	235 5 0	103 7 0	...	103 7 0
Hussey, C., Trooper	198 0 0	41 4 7	...	41 4 7
Hutchings, M., Constable	194 7 0	28 0 3	...	28 0 3
Irvine, W. J., Constable	193 11 0	28 9 10	...	28 9 10
Jackson, D., Trooper	197 19 0	37 17 8	...	37 17 8
Jackson, H., Constable	197 12 0	39 15 11	...	39 15 11
Jacobs, R., Constable	198 4 0	42 16 11	...	42 16 11
James, W., Constable	212 18 0	105 9 2	...	105 9 2

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
TRANSVAAL TOWN POLICE DEPARTMENT.—*cont.* 1907-8—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Jennings, A. C., Constable	210 11 0	96 2 11	...	96 2 11
Jennings, C., Constable	199 4 0	51 5 6	...	51 5 6
Jennings, C. H., Trooper	203 1 0	71 7 8	...	71 7 8
John, E., Constable	194 13 0	39 18 3	...	39 18 3
Johnson, J., Trooper	193 17 0	20 1 8	...	20 1 8
Johnston, E. W., Constable	198 9 0	43 17 0	...	43 17 0
Jordaan, J. J., Constable	231 8 0	79 10 8	...	79 10 8
Keit, F. A., Trooper	202 1 0	58 1 8	...	58 1 8
Kettle, E. J., Constable	237 9 0	141 6 0	...	141 6 0
King, H., Constable	193 9 0	32 18 1	...	32 18 1
Kirby, C., Constable	226 18 0	61 18 5	...	61 18 5
Laing, A., Constable	216 18 0	105 1 5	...	105 1 5
Late, R. F., Constable	193 18 0	19 11 9	...	19 11 9
Lane, J., Detective	400 0 0	252 2 11	...	252 2 11
Law, A., Sergeant	319 2 0	190 11 6	...	190 11 6
Lees, H., Constable	210 11 0	92 14 10	...	92 14 10
Levell, W. J., Trooper	229 12 0	111 7 7	...	111 7 7
Lewis, A. E., Constable	207 13 0	77 6 6	...	77 6 6
Loch, J., Constable	197 9 0	33 11 8	...	33 11 8
Lonergau, M. J., Constable	203 8 0	43 7 0	...	43 7 0
Long, S. J., Sergeant	255 0 0	126 10 10	...	126 10 10
Longden, R., Constable	268 3 0	160 2 11	...	160 2 11
Lowe, P., Constable	211 5 0	96 9 3	...	96 9 3
Lucas, H., Sergeant	267 11 0	126 15 5	...	126 15 5
Lucey, M., Constable	197 16 0	36 6 0	...	36 6 0
MacDonald, P., Constable	194 2 0	27 19 7	...	27 19 7
MacGregor, J. M., Inspector	700 0 0	418 1 1	350 0 0	768 1 1
MacKay, B., Sergeant	266 17 0	136 5 1	...	136 5 1
Mahon, J., Trooper.	198 10 0	45 9 6	...	45 9 6
Mahoney, A., Constable	213 2 0	106 10 7	...	106 10 7
Mahoney, D., Constable	213 2 0	112 18 2	...	112 18 2
Manderson, J., Constable	208 1 0	79 8 10	...	79 8 10
Mangan, J., Constable	213 2 0	110 10 7	...	110 10 7
Martin, C. L., Sergeant	274 1 0	142 2 11	...	142 2 11
Martin, T., Constable	194 0 0	29 0 11	...	29 0 11
Martin, T., Constable	206 8 0	72 14 0	...	72 14 0
Masson, D., Constable	207 9 0	77 12 8	...	77 12 8
Masson, D., Constable	205 1 0	66 1 4	...	66 1 4
Mather, W., Constable	194 15 0	34 5 2	...	34 5 2
Maturin, K. W., Trooper	203 4 0	61 1 0	...	61 1 0
McDowell, J., Trooper	213 2 0	111 13 4	...	111 13 4
McFrederick, S. J., Constable	206 3 0	69 8 5	...	69 8 5
McGee, W., Trooper	209 1 0	84 15 5	...	84 15 5
McGhee, J., Sergeant	285 3 0	170 5 11	...	170 5 11
McGinnan, T. W., Constable	213 2 0	106 19 9	...	106 19 9
McIntosh, W., Constable	210 5 0	91 0 0	...	91 0 0
McIvor, M., Constable	207 5 0	75 3 5	...	75 3 5
McKay, G., Constable	217 2 0	89 13 10	...	89 13 10
McKelvey, J., Constable	207 14 0	77 12 8	...	77 12 8
McMahon, R., Constable	188 18 0	15 14 10	...	15 14 10
McMahon, P., Constable	247 8 0	147 15 1	...	147 15 1
McNully, E., Trooper	198 7 0	43 8 6	...	43 8 6
McPherson. E. D., Constable	205 4 0	67 18 3	...	67 18 3
McPherson, W., Constable	213 2 0	109 3 0	...	109 3 0
McWhirter, S. G., Constable	202 9 0	98 11 0	...	98 11 0
Meadows, A., Constable	197 16 0	40 11 1	...	40 11 1
Medlam, F., Sergeant	243 0 0	156 14 10	...	156 14 10
Melling, W. H., Constable	211 6 0	75 5 7	...	75 5 7
Mew, A., Constable	235 5 0	103 7 0	...	103 7 0
Millar, R., Constable	232 7 0	83 11 4	...	83 11 4
Miller, A., Sergeant	278 17 0	141 14 11	...	141 14 11
Millett, M., Sergeant	248 4 0	147 11 7	...	147 11 7
Millichip, T., Constable	199 14 0	33 4 4	...	33 4 4
Milne, G., Detective	365 0 0	168 5 5	64 10 4	232 15 9

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907–8—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
MILROY, W., Constable	203 9 0	66 0 3	...	66 0 3
MILWARD, F. T., Constable	193 15 0	47 10 8	...	47 10 8
MONTAGU, J. D., Trooper	207 1 0	74 2 8	...	74 2 8
MONTIFORD, H., Trooper	248 18 0	122 17 10	...	122 17 10
MOORE, R., Constable	237 6 0	117 14 2	...	117 14 2
MOORE, W., Constable	211 8 0	97 6 6	...	97 6 6
MOTT, H., Sergeant	317 15 0	189 15 4	...	189 15 4
MUGGLEWORTH, H., Trooper ...	197 17 0	60 5 1	...	60 5 1
MULHERN, W. J., Constable	190 10 0	26 8 0	...	26 8 0
MURCHIE, A., Clerk	365 0 0	152 1 8	118 0 9	270 2 5
MURPHY, W. V., Trooper	200 16 0	61 0 4	...	61 0 4
MUSGROVE, H. H., Constable ...	197 0 0	41 0 6	...	41 0 6
MYERS, C., Sergeant	327 6 0	195 9 5	...	195 9 5
NAPIER, W., Constable	210 9 0	92 1 5	...	92 1 5
NELSON, H. J., Trooper	198 10 0	45 5 10	...	45 5 10
NESBITT, J., Detective	365 0 0	212 5 10	113 19 7	326 5 5
NEWMAN, A., Constable	203 5 0	71 9 2	...	71 9 2
NICHOLSON, T., Trooper	209 19 0	89 8 4	...	89 8 4
NOLAN, M. S., Detective	365 0 0	190 18 3	91 2 3	282 0 6
NOONAN, E., Constable	218 16 0	108 18 7	...	108 18 7
NORTON, C. E., Trooper	207 7 0	89 3 3	...	89 3 3
O'BRIEN, C. R. M., Deputy Commissioner.	1,100 0 0	661 14 4	298 15 1	960 9 5
O'BRIEN, J., Detective	365 0 0	214 9 5	113 19 7	328 9 0
O'CONNOR, M., Trooper	212 2 0	101 0 7	...	101 0 7
O'CONNOR, T., Constable	203 1 0	62 7 4	...	62 7 4
O'FARREL, C., Sergeant	269 5 0	138 11 0	...	138 11 0
OGILVIE, T., Constable	194 10 0	29 3 4	...	29 3 4
OLIVER, C., Constable...	187 4 0	20 4 6	...	20 4 6
OLIVER, H. A., Trooper	198 6 0	39 10 2	...	39 10 2
O'MALLEY, M., Trooper	209 7 0	86 5 1	...	86 5 1
OUSLEY, W., Trooper	237 9 0	130 19 5	...	130 19 5
PAIN, C., Constable	206 3 0	69 6 7	...	69 6 7
PALMER, F., Constable	212 2 0	101 3 6	...	101 3 6
PALMER, T. S., Trooper	196 18 0	31 7 9	...	31 7 9
PALMER, J. G., Trooper	201 11 0	58 18 5	...	58 18 5
PARKER, P., Constable	197 3 0	32 7 9	...	32 7 9
PARNELL, J., Constable	236 15 0	113 16 5	...	113 16 5
PAYNE, G., Constable	229 9 0	78 2 7	...	78 2 7
PERRY, H. J., Sergeant	263 6 0	119 19 10	...	119 19 10
PHILLIP, G., Constable	234 10 0	98 3 10	...	98 3 10
PHILLIPS, F., Constable	209 3 0	85 3 11	...	85 3 11
PHIPPEN, L., Constable	236 12 0	112 17 3	...	112 17 3
PIENAAR, F., Constable	156 19 0	26 2 1	...	26 2 1
PIERCE, T. C., Constable	203 18 0	78 4 1	...	78 4 1
PIGOTT, P. L. B., Trooper	207 1 0	99 12 9	...	99 12 9
PILSER, C., Constable	224 18 0	51 9 4	...	51 9 4
PIPER, H. T., Sergeant	252 1 0	103 11 2	...	103 11 2
PLUMMER, A., Constable	203 11 0	85 17 8	...	85 17 8
POLSON, G., Constable	163 7 0	15 3 1	...	15 3 1
POLSON, T. D., Constable	197 10 0	43 15 7	...	43 15 7
POTTER, J., Constable	236 13 0	113 2 0	...	113 2 0
POTVINE, G., Constable	207 6 0	80 17 1	...	80 17 1
PRATT, H. E., Trooper	202 9 0	100 5 8	...	100 5 8
PRESTON, T., Constable	226 15 0	65 14 0	...	65 14 0
PRETORIOUS, J., Constable	197 5 0	38 17 11	...	38 17 11
RAFFTER, E. W., Detective	450 0 0	263 15 3	...	263 15 3
RAMAGE, A., Constable	212 18 0	105 10 1	...	105 10 1
RAMSAY, T., Constable	212 17 0	105 0 10	...	105 0 10
RAYMENT, A., Constable	237 9 0	119 12 10	...	119 12 10
REID, J., Constable	207 17 0	78 8 4	...	78 8 4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907-8—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Reid, J. H., Constable	201	6	0	55	18	4	...			55	18	4
Reidy, M., Constable	196	18	0	31	7	9	...			31	7	9
Reilly, T., Trooper	210	12	0	92	17	0	...			92	17	0
Renny, H. J., Sergeant	289	5	0	172	14	11	...			172	14	11
Richardson, G., Sergeant	259	14	0	124	1	2	...			124	1	2
Robertson, J., Constable	202	9	0	101	7	3	...			101	7	3
Robinson, J. G., Constable	225	19	0	58	11	6	...			58	11	6
Robinson, H. J., Trooper	204	17	0	65	11	7	...			65	11	7
Roche, R., Constable	197	14	0	35	12	8	...			35	12	8
Rodgers, G., Trooper	222	14	0	104	16	9	...			104	16	9
Rogers, W. D., Constable	197	16	0	40	11	1	...			40	11	1
Rooke, F., Constable	226	13	0	60	16	10	...			60	16	10
Ross, D. M., Constable	193	15	0	19	17	1	...			19	17	1
Rosser, C., Trooper	210	6	0	98	16	1	...			98	16	1
Rowbotham, J., Constable	234	16	0	117	7	7	...			117	7	7
Ruane, T. P., Trooper	197	7	0	34	7	11	...			34	7	11
Ryan, M., Constable	200	17	0	54	17	1	...			54	17	1
Saker, H. M., Sergeant	261	11	0	119	3	11	...			119	3	11
Samson, H., Inspector	700	0	0	418	1	1	350	0	0	768	1	1
Saville, F. C., Trooper	233	11	0	91	17	10	...			91	17	10
Schoor, F. L., Trooper	203	7	0	61	9	3	...			61	9	3
Scott, A., Constable	213	2	0	107	2	8	...			107	2	8
Scott, H. J., Trooper	197	19	0	41	7	6	...			41	7	6
Scribner, R., Constable	232	0	0	81	3	10	...			81	3	10
Seymour, C. F., Trooper	195	11	0	35	17	10	...			35	17	10
Sharpe, T., Trooper	213	2	0	126	8	5	...			126	8	5
Shawyer, H. J., Trooper	198	3	0	43	14	10	...			43	14	10
Shepperd, H., Constable	215	5	0	101	18	0	...			101	18	0
Shiel, G., Constable	230	12	0	109	10	7	...			109	10	7
Shipway, N. S., Constable	207	19	0	78	19	6	...			78	19	6
Shrimpton, R., Constable	148	2	0	36	4	8	...			36	4	8
Simpson, J., Constable	191	14	0	47	13	10	...			47	13	10
Slawson, J., Constable	212	4	0	101	13	7	...			101	13	7
Slutton, A., Constable	236	13	0	113	5	3	...			113	5	3
Smith, C., Constable	203	7	0	68	18	11	...			68	18	11
Smith, F., Constable	232	7	0	107	13	3	...			107	13	3
Smith, R., Constable	236	9	0	121	16	5	...			121	16	5
Smith, H., Constable	205	17	0	47	2	2	...			47	2	2
Smith, S., Constable	237	9	0	141	16	2	...			141	16	2
Smith, F., Detective	365	0	0	220	1	0	113	19	7	334	0	7
Spall, W. R., Trooper	200	18	0	33	4	8	...			33	4	8
Sperring, G., Sergeant	245	19	0	146	17	9	...			146	17	9
Steel, A., Trooper	200	8	0	57	6	8	...			57	6	8
Stephens, R., Trooper	210	0	0	104	19	7	...			104	19	7
Stevens, E., Trooper	209	17	0	91	18	1	...			91	18	1
Stickney, E. H., Constable	207	3	0	74	13	10	...			74	13	10
Stone, H., Trooper	195	7	0	35	17	0	...			35	17	0
Strachan, J., Constable	210	16	0	104	16	1	...			104	16	1
Sutherland, D., Trooper	212	12	0	105	2	10	...			105	2	10
Suttie, D., Sergeant	254	17	0	215	19	8	...			215	19	8
Sykes, A., Constable	227	5	0	69	5	2	...			69	5	2
Taylor, J. W., Sergeant	245	13	0	114	8	2	...			114	8	2
Taylor, T., Trooper	211	11	0	72	0	9	...			72	0	9
Taylor, C., Constable	195	4	0	45	17	10	...			45	17	10
Teer, E. E., Constable	192	16	0	44	14	3	...			44	14	3
Thomas, F., Trooper	211	0	0	95	0	8	...			95	0	8
Thomas, R. E., Sergeant	269	3	0	132	0	1	...			132	0	1
Thompson, J., Constable	219	19	0	64	12	1	...			64	12	1
Thompson, R. M., Constable	202	4	0	71	15	0	...			71	15	0
Thompson, J., Constable	237	9	0	137	15	8	...			137	15	8
Thring, C. L., Trooper	202	9	0	85	11	1	...			85	11	1
Tilbrook, G. T., Constable	197	17	0	37	13	8	...			37	13	8
Tonnerre, J., Trooper	210	16	0	93	17	7	...			93	17	7
Trail, J., Constable	213	2	0	117	3	0	...			117	3	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
TRANSVAAL TOWN POLICE DEPARTMENT—*cont.* 1907–8—*cont.*				
Tuer, J., Constable	206 12 0	101 1 9	...	101 1 9
Turkington, E., Constable	209 3 0	85 1 1	...	85 1 1
Turner, J., Constable	213 2 0	127 5 4	...	127 5 4
Turner, W., Constable	189 8 0	27 6 0	...	27 6 0
Ure, C., Constable	154 1 0	43 5 0	...	43 5 0
Uzzell, J., Constable	225 9 0	99 13 3	...	99 13 3
Verrinder, W. H., Constable ...	229 6 0	103 14 2	...	103 14 2
Vickerstaff, E. J., Sergeant ...	306 0 0	150 17 6	...	150 17 6
Vintner, W., Constable	225 11 0	58 0 1	...	58 0 1
Walker, F., Constable	200 0 0	52 12 5	...	52 12 5
Walmsley, D., Constable	213 2 0	127 5 4	...	127 5 4
Webb, E. W., Trooper	236 12 0	112 12 11	...	112 12 11
Wells, W., Constable	229 11 0	70 16 4	...	70 16 4
Welsh, P., Sergeant	269 9 0	149 9 8	...	149 9 8
Wheelock, A., Trooper	204 18 0	79 19 3	...	79 19 3
Wheildon, T., Constable	212 2 0	101 0 7	...	101 0 7
White, A., Sergeant	267 15 0	135 8 1	...	135 8 1
White, W., Trooper	204 15 0	74 10 11	...	74 10 11
Wilkinson, T., Constable	233 2 0	91 12 2	...	91 12 2
Williams, J. P., Trooper	210 5 0	91 0 0	...	91 0 0
Williams, E., Trooper	209 9 0	86 12 7	...	86 12 7
Williams, A., Constable	234 7 0	115 14 2	...	115 14 2
Williams, F., Constable	237 9 0	131 18 4	...	131 18 4
Wilmot, J., Constable	213 2 0	115 7 3	...	115 7 3
Wilson, J., Constable...	211 17 0	99 14 8	...	99 14 8
Wilson, H., Constable	197 5 0	32 16 1	...	32 16 1
Wilson, G., Constable	230 5 0	73 3 3	...	73 3 3
Wilson, H., Constable	189 14 0	27 6 10	...	27 6 10
Winthrop, B. H., Constable... ...	225 11 0	112 13 0	...	112 13 0
Wood, W., Detective	328 10 0	152 8 4	...	152 8 4
Woodcock, S. V., Trooper	210 6 0	91 7 3	...	91 7 3
Woodland, G. A., Detective... ...	365 0 0	177 11 9	...	177 11 9
Wragg, J. W., Constable	210 0 0	89 12 7	...	89 12 7
Yeo, F., Sergeant	240 17 0	101 12 1	...	101 12 1
Total 1907-8	... ...	£40,667 2 5	£3,046 18 4	£43,714 0 9

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Pension awarded per Annum.	Gratuity in respect of Service.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
TRANSVAAL PRISONS DEPARTMENT. 1906-07.				
Browne, W. J., 3rd Class Gaoler ...	240 0 0	...	172 7 7	172 7 7
1907-08.				
Baury, J. G. C., 1st Class Gaoler ...	350 0 0	111 4 10	...	
Southwell, J., Acting Matron ...	250 0 0	...	126 16 0	126 16 0
Total	...	111 4 10	126 16 0	126 16 0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Compensation in lieu of notice.	Total Compensation.
FOREIGN LABOUR DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1906–07.					
Hughes, Alfred, Correspondence Clerk.	420 0 0	211 2 8	87 9 0	39 3 4	337 14 7
1907–08.					
Mitchell, Mary, Shorthand Typist.	250 0 0	126 14 11	73 18 6	...	200 13 5
Rose, Edwin Claude, Shorthand Typist.	300 0 0	65 0 0	...	...	65 0 0
Total	...	...	...	...	265 13 5

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
MINES DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1st July, 1903, to 30th June, 1904.				
Casement, T., Beacon Inspector ...	525 0 0	...	175 0 0	175 0 0
Cowper, G. A. C., 2nd Class Clerk ...	290 0 0	...	48 6 8	48 6 8
Ewing, W. L., 1st Class Clerk ...	340 0 0	...	130 6 8	130 6 8
Fosberry, C. T. V., 1st Class Clerk	320 0 0	...	32 13 9	32 13 9
Foubister, W. F., 1st Class Clerk ...	400 0 0	...	172 10 0	172 10 0
Ikkink, P. J., 1st Class Clerk ...	440 0 0	...	126 10 0	126 10 0
King, A., Senior Clerk	550 0 0	...	76 17 6	76 17 6
Louw, J. A. J., 1st Class Clerk ...	420 0 0	...	181 2 6	181 2 6
MacDonald, W., Clerk to Commissioner of Examinations.	500 0 0	...	83 6 8	83 6 8
Nesbitt, H., Beacon Inspector ...	320 0 0	...	145 2 10	145 2 10
Pike, J., 1st Class Clerk	440 0 0	...	...	...
Stonestreet, G. D., Inspector of Mines.	1,500 0 0	...	500 0 0	*562 10 0
Teagle, C., District Clerk	500 0 0	...	187 10 0	187 10 0
Ward, B. L., Senior Clerk	450 0 0	292 10 7	...	292 10 7
Webber, L. H., Deputy-Inspector of Mines.	800 0 0	...	300 0 0	300 0 0
Wood, J. T., Registrar of Mining Rights.	1,500 0 0	750 0 0	...	750 0 0
Total	...	1,042 10 7	2,159 6 7	3,264 7 2
1st July, 1904, to 30th June, 1905.				
Evers, C., 2nd Class Clerk	300 0 0	112 10 0	...	112 10 0
Langmuir, F., Senior Clerk	500 0 0	...	166 13 4	166 13 4
Peacocke, C. L., 1st Class Clerk ...	440 0 0	...	251 10 0	251 10 0
Total	...	112 10 0	418 3 4	530 13 4
1st July, 1905, to 30th June, 1906.				
Bennett, C., 1st Class Clerk ...	400 0 0	...	199 4 0	199 4 0
Buncombe, J. D., Beacon Inspector ..	420 0 0	...	63 18 8	63 18 8
Cregorowski, H. W., 1st Class Clerk	440 0 0	...	71 16 8	71 16 8
Total	...	...	334 19 4	334 19 4
1st July, 1906, to 30th June, 1907.				
Brackenbury, A. J., 1st Class Clerk	400 0 0	164 0 0	131 3 8	295 3 8
Langston, N. C. B., 2nd Class Clerk	300 0 0	128 13 2	16 18 9	145 11 11
Macpherson, W. R., 1st Class Clerk	380 0 0	128 4 6	165 19 10	294 4 4
Mayston, L. H. H., 1st Class Clerk	360 0 0	107 6 10	94 12 11	201 19 9
Nixon, J., 1st Class Clerk	420 0 0	...	190 16 1	190 16 1
Pigott, D. B., 2nd Class Clerk ...	260 0 0	30 19 2	36 8 4	67 7 6
Read, F., 2nd Class Clerk	260 0 0	31 2 10	34 5 0	65 7 10
Shepherd, A. M., 1st Class Clerk ...	440 0 0	...	139 9 5	139 9 5
Thornton, A., R., 1st Class Clerk ...	400 0 0	197 3 4	126 13 4	323 16 8
Wikner, G. A., Senior Clerk ...	600 0 0	281 3 0	300 0 0	581 3 0
Total	...	1,068 12 10	1,236 7 4	2,305 0 2

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* Includes £62 10*s.* compensation in respect of transport.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
MINES DEPARTMENT—*cont.*	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1st July, 1907, to 30th June, 1908.												
ALLSOP, R., 2nd Class Clerk ...	275	0	0	63	12	9	8	8	1	72	0	10
BARBER, J. F., 1st Class Clerk ...	440	0	0	242	7	2	168	14	10	411	2	0
CRADOCK, J. D., 1st Class Clerk ...	400	0	0	...			185	11	1	185	11	1
DRUMMOND, J. B., Beacon Inspector	...			...			33	6	8	33	6	8
HUMPHREY, H. H., Beacon Inspector	440	0	0	205	18	9	82	14	8	288	13	5
MANS, J. A., Beacon Inspector ...	400	0	0	212	13	1	200	0	0	412	13	1
OWEN, O. W., Accountant	700	0	0	421	1	9	304	6	1	725	7	10
STOKES, S. F., Inspector of Machinery	700	0	0	360	19	7	158	1	3	519	0	10
TATHAM, B. ST. J., Senior Clerk ...	600	0	0	342	5	10	93	6	8	435	12	6
WARD, A. P., 2nd Class Clerk ...	300	0	0	112	15	10	40	0	0	152	15	10
WILLAN, C. H., Assistant Inspector of Machinery.	500	0	0	187	0	0	212	7	4	399	7	4
TOTAL	...			2,148	14	9	1,486	16	8	3,635	11	5

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.											
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Compensation in lieu of notice.			Total Compensation.		
TREASURY DEPARTMENT,	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1903–04.															
INGLE, F., Licence Inspector, Internal Revenue.	500	0	0	...			145	16	8	...			145	16	8
1905–06.															
CHALMERS, E. W., Licence Inspector, Internal Revenue.	360	0	0	148	12	2	...			...			148	12	2
COLLETT, V., Clerk, Investment Board.	380	0	0	152	13	10	...			31	13	4	184	7	2
RICHARDSON, G. F., Clerk, Treasury.	300	0	0	37	10	0	...			...			37	10	0
TOTAL	...			338	16	0	...			31	13	4	370	9	4
1906–07.															
BURNS, J., Accountant General	1,200	0	0	...			233	1	8	1,200	0	0*	1,433	1	8
CULHANE, J. M., Receiver of Revenue.	575	0	0	247	2	1	206	7	0	...			453	9	1
FIRTH, A. H., Clerk, Treasury	500	0	0	...			187	10	0	...			187	10	0
MCDONNELL, J., Receiver of Revenue.	380	0	0	94	8	7	2	2	3	...			96	10	10
TOTAL	...			341	10	8	629	0	11	1,200	0	0	2,170	11	7
1907–08,															
CHRISTIE, I., Secretary to Investment Board.	750	0	0	502	14	9	375	0	0	..			877	14	9
DUNCAN, C., Clerk to Investment Board.	400	0	0	77	12	10	88	17	9	...			166	10	7
FLOOD, T. L., Clerk, Treasury	300	0	0	128	3	1	138	6	8	...			266	9	9
GREENE, J. E., Clerk, Distributor of Stamps.	300	0	0	136	9	5	150	0	0	...			286	9	5
JOHNSON, W. S., Acting Receiver of Revenue.	300	0	0	123	4	4	70	3	3	...			193	7	7
LORENTZ, A. C. H., Receiver of Revenue.	340	0	0	145	13	9	91	5	6	28	6	8	265	5	11
MCKAY, W., Clerk, Treasury ...	400	0	0	185	16	9	100	8	2	...			286	4	11
PALMER-JONES, S. H., Receiver of Revenue,	320	0	0	102	12	11	138	13	4	26	13	4	267	19	7
STEPHENS, G. W., Receiver of Revenue.	420	0	0	196	14	0	84	11	8	35	0	0	316	5	8
YELVERTON, J. W., Clerk, Internal Revenue.	420	0	0	207	2	2	210	0	0	35	0	0	452	2	2
YOUNG, J. W., Clerk, Internal Revenue.	270	0	0	55	2	4	27	11	7	22	10	0	105	3	11
TOTAL	...			1,861	6	4	1,474	17	11	147	10	0	3,483	14	3

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* For abolition of office. Pension awarded £600 per annum.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.											
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Compensation in lieu of notice.			Total Compensation.		
AUDIT DEPARTMENT.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1907–08.															
Robson, W. J., Auditor General	1,500	0	0	997	10	0	137	10	0	125	0	0*	1,325	0	0
Tebb, R. H., 1st Class Clerk ...	440	0	0	229	14	1	162	0	1	40	16	8	432	10	10
Total	...			1,227	4	1	299	10	1	165	16	8	1,757	10	10
CUSTOMS DEPARTMENT.															
1903–04.															
Hall, M. C., Collector of Customs, Potchefstroom.	425	0	0	...			106	5	0	...			106	5	0
1907–08.															
Ballard, E. J., Examining Officer, Johannesburg.	465	0	0	254	8	10	25	0	0	38	15	0	318	3	10
Hutton, Wm., Examining Officer, Pretoria.	495	0	0	256	8	2	247	10	0	41	5	0	545	3	2
Total	...			510	17	0	272	10	0	80	0	0	863	7	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
POST AND TELEGRAPH DEPARTMENT.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1907–08.												
Allen, H. G., 2nd Class Clerk ...	300	0	0	436	2	0	14	10	4	450	12	4
Anderson, E. H., 2nd Class Clerk ...	275	0	0	109	6	8	24	8	11	133	15	7
Anderson, J. S., 2nd Class Clerk ...	300	0	0	126	11	7	144	7	1	270	18	8
Anstensen, K. J., 2nd Class Clerk...	300	0	0	60	8	4	65	6	5	125	14	9
Ashley, G. S., 2nd Class Clerk ...	230	0	0	54	6	1	32	9	3	86	15	4
Barkley, P. J., 2nd Class Clerk ...	260	0	0	92	8	0	39	2	10	131	10	10
Barnes, H. V., 2nd Class Clerk ...	290	0	0	141	14	10	84	19	9	226	14	7
Bevan, G. F., 2nd Class Clerk ...	300	0	0	122	10	1	141	10	7	264	0	8
Bonner, E. C., Sorter	253	0	0	95	15	4	31	5	9	127	1	1
Bourne, J. S., 2nd Class Clerk ...	290	0	0	201	0	6	95	1	4	296	1	10
Brain, C. H., Sorter	236	0	0	92	6	9	26	12	10	118	19	7
Brown, A. W., 2nd Class Clerk ...	300	0	0	128	3	7	143	19	1	272	2	8
Buckley, Mrs. I. M., Supt. T. M. B.	360	0	0	156	7	11	83	14	2	240	2	1
Buderus, G. C., 2nd Class Clerk ...	300	0	0	144	16	11	85	17	9	230	14	8
Burke, P., 2nd Class Clerk	290	0	0	132	9	4	43	13	2	176	2	6
Campbell, A. B., Sorter	212	0	0	41	17	2	15	6	3	57	3	5
Carney, T. H., Asst. Supt.	500	0	0	216	11	9	237	10	0	454	1	9
Connell, E. J., 2nd Class Clerk ...	300	0	0	257	1	11	102	17	4	359	19	3
Cross, W. H. C., Sorter	222	0	0	84	18	10	22	4	6	107	3	4
Davis, J. J., 2nd Class Clerk ...	275	0	0	115	12	9	76	11	6	192	4	3
Downing, A. W., 2nd Class Clerk ...	300	0	0	145	18	5	150	0	0	295	18	5
Drummond, O., 2nd Class Clerk ...	300	0	0	131	15	8	64	10	4	196	6	0
Dwyer, N., 1st Class Clerk	420	0	0	166	16	6	76	15	5	243	11	11
Earl, H. E., 2nd Class Clerk ...	290	0	0	89	18	8	125	2	5	215	1	1
Eaton, A., 2nd Class Clerk	290	0	0	217	2	7	108	16	8	325	19	3
Farthing, L. G., 2nd Class Clerk ...	275	0	0	205	6	6	44	3	11	249	10	5
Gleeson, C., 2nd Class Clerk ...	260	0	0	124	14	11	130	0	0	254	14	11
Grimwood, S., 2nd Class Clerk ...	300	0	0	233	3	4	67	1	8	300	5	0
Harrison, L. C., 2nd Class Clerk ..	300	0	0	129	19	4	40	0	0	169	19	4
Haslewood, G. H., 1st Class Clerk	360	0	0	431	5	7	93	10	0	524	15	7
Hayward, W., 1st Class Clerk ...	400	0	0	561	18	8	133	1	4	695	0	0
Hilliar, H. G., 2nd Class Clerk ...	300	0	0	142	8	2	140	0	0	282	8	2
Holloway, W., 1st Class Clerk ...	320	0	0	138	13	8	133	6	8	272	0	4
Hoy, W. J., 2nd Class Clerk	245	0	0	67	10	3	43	16	0	111	6	3
Hueston, A., 1st Class Clerk ...	440	0	0	180	2	0	11	16	7	191	18	7
Irwin, J. R., 2nd Class Clerk ...	290	0	0	120	4	11	67	13	5	187	18	4

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* Includes £65 railway and steamship fares.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
POST AND TELEGRAPH DEPARTMENT—*cont.*												
1907–08—*cont.*												
JACOBSON, B. M., 2nd Class Clerk ...	300	0	0	176	14	3	150	0	0	326	14	3
JOHNSON, J. M., 2nd Class Clerk ...	275	0	0	105	10	4	118	2	10	223	13	2
JOHNSTON, H. T., 2nd Class Clerk ...	300	0	0	334	9	3	59	13	7	394	2	10
KNIGHTS, F. H., 1st Class Clerk ...	400	0	0	168	9	10	87	1	11	255	11	9
LAWRENCE, P. C., 2nd Class Clerk ...	260	0	0	157	8	3	90	18	11	248	7	2
LEGG, M. R. H., 2nd Class Clerk ...	290	0	0	141	18	10	55	11	10	197	10	8
MCNAUGHT, J. A., 2nd Class Clerk	290	0	0	121	9	11	60	0	6	181	10	5
MILLAR, D. J., 2nd Class Clerk ...	300	0	0	128	3	7	38	15	0	166	18	7
MILNE, J. R., 2nd Class Clerk ...	275	0	0	107	1	11	56	3	7	163	5	6
MILTHORP, F. R., 2nd Class Clerk ...	290	0	0	132	13	4	124	11	8	257	5	0
MONTGOMERY, C., 1st Class Clerk ...	400	0	0	181	5	8	101	1	6	282	7	2
MONTGOMERY, J., 2nd Class Clerk ...	300	0	0	142	14	6	61	5	10	204	0	4
MURPHY, G., 1st Class Clerk... ...	360	0	0	153	16	4	136	18	9	290	15	1
O'HARA, W., 2nd Class Clerk ...	300	0	0	117	3	2	49	3	4	166	6	6
O'MEARA, F. M., 2nd Class Clerk ...	300	0	0	141	18	11	46	15	6	188	14	5
OXENHAM, H. A., 2nd Class Clerk ...	300	0	0	107	0	5	74	6	3	181	6	8
PERKINS, C. W., 2nd Class Clerk ...	275	0	0	202	7	9	125	5	1	327	12	10
PIENAAR, F. F., 2nd Class Clerk ...	300	0	0	139	2	4	0	16	2	139	18	6
PINNELL, A. W., 2nd Class Clerk ...	300	0	0	114	3	7	55	4	10	169	8	5
PORTER, C. B., 2nd Class Clerk ...	300	0	0	122	19	5	94	1	2	217	0	7
RANKIN, A. G , 2nd Class Clerk ...	300	0	0	114	18	2	106	6	11	221	5	1
RUSH, W. F., 2nd Class Clerk ...	245	0	0	142	0	0	115	5	0	257	5	0
SHAW, H., 2nd Class Clerk	275	0	0	165	16	3	39	11	0	205	7	3
SHIPWAY, A. C., 2nd Class Clerk ...	300	0	0	144	16	11	150	0	0	294	16	11
SMITH, R. R., 2nd Class Clerk ...	290	0	0	120	9	3	64	10	4	184	19	7
SPENCER, B. H. A., 2nd Class Clerk	300	0	0	121	15	7	96	7	5	218	3	0
SPINKS, W., 2nd Class Clerk ...	300	0	0	319	14	4	62	10	1	382	4	5
SYMONS, W. E., 2nd Class Clerk ...	275	0	0	74	6	11	2	5	10	76	12	9
TANNER, H. A., 2nd Class Clerk ...	275	0	0	108	11	5	54	14	1	163	5	6
TAYLOR, G. F., Sorter	237	0	0	91	15	2	25	0	4	116	15	6
TAYLOR, H. W., 2nd Class Clerk ...	245	0	0	127	9	1	111	18	9	239	7	10
TENNANT, C. A., 2nd Class Clerk ...	290	0	0	131	5	6	85	7	3	216	12	9
THOMALLA, A. W., 2nd Class Clerk	245	0	0	109	17	1	28	3	7	138	0	8
TILDESLEY, F. J., Asst. Accountant	625	0	0	864	14	8	304	13	9	1,169	8	5
WEBBER, I., 2nd Class Clerk... ...	275	0	0	151	11	5	137	10	0	289	1	5
WHITE, C. L., 2nd Class Clerk ...	300	0	0	141	18	10	55	4	4	197	3	2
WHITE, S. S., 2nd Class Clerk ...	300	0	0	152	15	4	92	14	10	245	10	2
WHITESIDE, A. F., 2nd Class Clerk...	300	0	0	132	1	11	18	6	9	150	8	8
WILLIAMSON, A., 2nd Class Clerk ...	275	0	0	114	10	11	59	17	7	174	8	6
WILSON, H., 2nd Class Clerk ...	300	0	0	253	17	3	64	2	10	318	0	1
YEOMANS, R. W., 2nd Class Clerk ...	275	0	0	165	16	3	66	18	0	232	14	3
TOTALS	...			12,644	3	4	6,268	10	2	18,912	13	6
GOVERNMENT PRINTING AND STATIONERY DEPARTMENT.												
1906–07.												
FALCONER, PETER CHARLES, Government Printer.	850	0	0	473	7	8	360	18	11	834	6	7
1907–08.												
HEWETT, WILLIAM MOWBRAY, Clerk.	230	0	0	55	9	3	61	5	6	119	14	9
LAND DEPARTMENT.												
1903–04.												
BROWN, W., Clerk	300	0	0	...			25	0	0	25	0	0
CAMBRIDGE, W. H., Inspector of Lands	450	0	0	...			112	10	0	112	10	0
CASSIDY, H. E., Clerk...	300	0	0	...			25	0	0	25	0	0
DENNISON, C. G., Inspector of Lands	500	0	0	...			63	3	5	63	3	5
FORSSMAN, O. W. A., Clerk	210	0	0	...			17	10	0	17	10	0
GLENNIE, F. W., Clerk	360	0	0	30	0	0	...			30	0	0
HOFFE, J. E., Clerk	300	0	0	...			25	0	0	25	0	0
HOLMES, R. J., Inspector of Lands ...	500	0	0	...			41	13	4	41	13	4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
LAND DEPARTMENT—*cont.* 1903–4—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
JOHNSTON, R., Acting District Commissioner of Lands.	750 0 0	31 5 0	187 10 0	218 15 0
JONES, M., Acting District Commissioner of Lands.	750 0 0	375 0 0	...	375 0 0
KIPPING, V., Clerk	300 0 0	...	35 9 8	35 9 8
KNOX, A., Clerk	300 0 0	...	25 0 0	25 0 0
LEMPRIERE, H. A., District Commissioner of Lands.	750 0 0	375 0 0	...	375 0 0
LISTER, H. C., Recorder of Crown Lands.	720 0 0	...	180 0 0	230 0 0*
MACDONALD, D., Clerk	300 0 0	50 0 0	25 0 0	75 0 0
MACDONALD, J., Superintendent, White River Settlement.	360 0 0	...	30 0 0	30 0 0
MACMILLAN, M. E., Farm Manager...	600 0 0	...	50 0 0	50 0 0
NEILL, W. J., Acting District Commissioner of Lands.	800 0 0	200 0 0	...	300 0 0†
PERFECT, C. M., Inspector of Lands...	450 0 0	75 0 0	37 10 0	112 10 0
RYDER, A. ST. GEORGE, Financial Comptroller.	900 0 0	950 0 0	...	950 0 0
WALKER, J. B., Cattle Inspector ...	360 0 0	100 0 0	...	100 0 0
WHITE, E., Inspector of Lands ...	600 0 0	...	50 0 0	50 0 0
WINCHESTER, E. G., Clerk	270 0 0	45 0 0	22 10 0	67 10 0
TOTAL	...	£2,231 5 0	£952 16 5	£3,334 1 5
1904–05.				
EASTWOOD, P. B., Inspector of Lands	1,000 0 0	1,000 0 0	250 0 0	1,250 0 0
1905–06.				
GELL, S. J., Sub-Inspector of Lands...	600 0 0	...	23 1 6	89 14 10‡
HODGSON, G. F., Sub-Inspector of Lands.	600 0 0	...	23 1 6	89 14 10‡
KELSALL, V. A., Sub-Inspector of Lands.	600 0 0	...	23 1 6	89 14 10‡
KERR, C. B., Sub-Inspector of Lands	600 0 0	...	23 1 6	89 14 10‡
WALSH, A. E., Sub-Inspector of Lands	600 0 0	...	23 1 6	89 14 10‡
WHITE, E., Sub-Inspector of Lands...	600 0 0	...	23 1 6	89 14 10‡
WILMOT, A., Controller of Live Stock	700 0 0	210 3 7	367 3 0	577 6 7
TOTAL	...	210 3 7	505 12 0	1,115 15 7
1906–07.				
BLANSHARD, R. W., Clerk	300 0 0	117 7 0	49 3 10	166 10 10
COCHRANE, S. A., Clerk	255 0 0	44 5 5	53 16 8	98 2 1
DOYLE, R. D., Inspector of Lands ...	850 0 0	394 0 2	292 6 7	686 6 9
GRIFFIN, W. T., Inspector of Lands...	450 0 9	200 4 6	199 11 0	399 15 6
HOLMES, R. F,, Clerk	240 0 0	75 17 6	102 13 4	178 10 10
JOHNS, D. N., Inspector of Lands ...	1,000 0 0	385 2 10	436 2 2	821 5 0
JONAS, P. C., Inspector of Lands ..	800 0 0	282 7 3	92 17 2	375 4 5
KIPPING, V., Clerk	300 0 0	56 5 0	65 16 8	122 1 8
LAWRANCE, H. A., District Clerk ...	300 0 0	50 0 0	59 3 4	109 3 4
LAWRENCE, T. H., Inspector of Lands	800 0 0	363 1 11	360 14 4	723 16 3
LITTLE, Miss E. M., Shorthand Typist	200 0 0	13 0 1	16 13 4	29 13 5
LYNE, G. H. S., Clerk	255 0 0	47 16 7	51 0 0	98 16 7
MOFFAT, R., Clerk	450 0 0	115 18 6	172 19 8	288 18 2
MORLEY, F. G., Accountant	700 0 0	700 0 0	...	§700 0 0
RODDA, Miss A., Shorthand Typist ...	250 0 0	104 3 7	8 1 3	112 4 10
SADLEIR, Miss M. L., Shorthand Typist.	250 0 0	97 12 2	27 17 9	125 9 11
SCOTT, Miss A. I., Shorthand Typist	210 0 0	32 13 4	36 15 0	69 8 4
SMITH, R. J., Clerk	320 0 0	57 13 5	69 6 8	127 0 1
STEVENS, H. R., Inspector of Lands	450 0 0	168 17 2	210 9 8	379 6 10
TAYLOR, C. R., Clerk	270 0 0	51 15 8	58 10 0	110 5 8
WARD, E. O., Inspector of Lands ...	450 0 0	168 15 0	64 17 11	233 12 11
TOTAL	...	3,526 17 1	2,428 16 4	5,955 13 5

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* Includes £50 Railway and Steamship fares.

† Includes £100 Railway and Steamship fares.

‡ Government took over these Officers' transport at cost price, a loss of £400 resulting, equal to £66 13*s*. 4*d*. each.

§ Pension of £161 13*s*. 4*d*. per annum awarded.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
LAND DEPARTMENT—*cont.* 1907-08.				
METCALFE, A. J., Clerk	340 0 0	116 4 10	34 18 11	151 3 9
NAUGHTEN, T. E., Clerk	440 0 0	111 14 8	173 5 7	285 0 3
SCOTT, W. S., Manager, Potchefstroom Burgher Land Settlement.	730 0 0	852 8 11	...	852 8 11*
SELLHEIM, C. V., von, Clerk ...	270 0 0	52 3 5	64 10 0	116 13 5
TOTAL	...	1,132 11 10	272 14 6	1,405 6 4
IRRIGATION AND WATER SUPPLY DEPARTMENT. 1906-07.				
MATHEWS, C. G., Clerk	255 0 0	63 11 8	90 11 4	154 3 0
1907-08.				
ALEXANDER, J., CLERK	360 0 0	131 8 6	70 12 11	202 1 5
FRASER, A. P., Draughtsman ...	230 0 0	55 10 5	84 19 4	140 9 9
GOAD, C. L., Clerk	240 0 0	20 0 0	...	20 0 0
HARTOPP, W. E. C. C., Draughtsman	370 0 0	105 8 4	47 15 9	153 4 1
KILKELLY, R. B., Clerk	290 0 0	69 14 10	104 1 1	173 15 11
MACKAY, H. F., Chief Clerk ...	330 0 0	176 16 8	95 16 1	272 12 9
NORRINGTON, O. F. D., Draughtsman	360 0 0	75 8 3	53 4 6	128 12 9
PURNELL, R., Clerk	440 0 0	137 15 8	189 14 11	327 10 7
SEIVWRIGHT, W. D., Clerk	350 0 0	79 6 2	94 1 9	173 7 11
YOUNG, H. R., Assistant Enginner ...	550 0 0	195 13 6	73 5 2	268 18 8
TOTAL	...	1,047 2 4	813 11 6	1,860 13 10
SURVEYOR GENERAL'S DEPARTMENT. 1904-05.				
KORSTEN, P. F. J., Accountant ...	400 0 0	191 13 4	...	191 13 4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
NATIVE AFFAIRS DEPARTMENT. 1903-04.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
BRABANT, C. Y., Native Commissioner.	1,000 0 0	...	...	...	2,600 0 0†
DIGBY, W. R., District Clerk ...	300 0 0	...	25 0 0	...	25 0 0
DODD, B. P., District Clerk ...	300 0 0	...	25 0 0	...	25 0 0
EDMESTON, F. A. D., Sub-Native Commissioner.	550 0 0	...	45 16 8	4 1 0	49 17 8
IRVINE, H. A. S., District Clerk	300 0 0	...	50 0 0	...	50 0 0
MAYER, H., Compound Manager	300 0 0	...	25 0 0	...	25 0 0
NOURSE, C. H., Sub-Native Commissioner.	500 0 0	...	72 18 4	...	72 18 4
PATTEN, C. F., Sub-Native Commissioner.	550 0 0	...	91 13 4	...	91 13 4
ROSS, A. D., District Clerk ...	300 0 0	...	25 0 0	...	25 0 0
SCHOLEFIELD, S. W. J., Native Commissioner.	1,000 0 0	...	...	...	2,400 0 0†
WILLIAMS, E. L., District Controller.	700 0 0	...	218 15 0	...	218 15 0
WILLIAMS, M. R., District Clerk	300 0 0	...	25 0 0	...	25 0 0
TOTAL	...	...	604 3 4	4 1 0	5,608 4 4

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* Pension of £376 9*s.* 11*d.* per annum awarded.
† Commuted Pension.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
NATIVE AFFAIRS DEPARTMENT.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
1905–06.												
POSSELT, F. W. F., Registrar and Accountant, Deposit and Remittance Agency.	600	0	0	269	10	0	225	0	0	494	10	0
1906–07.												
BLACKWELL, J. H., Inspector ...	500	0	0	201	7	9	238	11	6	439	19	3
CAMPION, R., Sub-Native Commissioner.	600	0	0	207	13	1	285	9	8	493	2	9
EDWARDS, W. H., District Clerk ...	400	0	0	175	10	0	83	6	8	258	16	8
GUNNINGHAM, W. G., Pass Office Clerk.	300	0	0	117	8	5	21	15	6	139	3	11
IMPEY, J. G., Pass Office Clerk ...	300	0	0	173	14	1	43	2	11	216	17	0
ISTED, T. C., Sub-Native Commissioner.	550	0	0	165	0	7	238	6	8	403	7	3
NEWNHAM, F. J., Registrar of Licences.	600	0	0	288	17	4	289	10	4	578	7	8
OFTEBRO, M. E., District Clerk ...	400	0	0	298	1	5	152	15	6	450	16	11
WEBB, B. F., Sub-Native Commissioner.	600	0	0	269	13	7	295	19	4	565	12	11
WILLIAMSON, H. D., Accountant ...	650	0	0	179	0	3	80	3	2	259	3	5
TOTAL	...			2,076	6	6	1,729	1	3	3,805	7	9
1907–08.												
MARWICK, J. S., Native Commissioner	1,000	0	0	1,000	0	0	...			1,000	0	0*
ROWBOTHAM, H. M., Clerk, Pass Office	300	0	0	139	11	8	39	5	7	178	17	3
TOTAL	...			...			...			1,178	17	3
PUBLIC WORKS DEPARTMENT.												
1903–04.												
BELL, A. M., Clerk	300	0	0	...			31	5	0	31	5	0
BUCKINGHAM, E. F., Storekeeper ...	450	0	0	...			88	11	0	88	11	0
BRAITHWAITE, F., Clerk	245	0	0	...			20	8	4	20	8	4
CLARKE, F. R., Assistant Engineer ...	540	0	0	...			76	7	9	76	7	9
CORBETT, A. R., Assistant Engineer...	570	0	0	...			95	0	0	95	0	0
CONNELL, R., Foreman of Works ...	450	0	0	...			112	10	0	112	10	0
DYSON, A., Clerk	300	0	0	...			25	0	0	25	0	0
EDWARDS, J. C., Foreman of Works...	380	0	0	...			31	13	4	31	13	4
FERGUSON, D. A., Timekeeper ...	300	0	0	...			37	10	0	37	10	0
GILLOOLY J., Storeman and Clerk ...	300	0	0	...			25	0	0	25	0	0
GIBBS, G., Clerk	320	0	0	...			20	0	0	20	0	0
GILLOOLY, T., Clerk	245	0	0	...			27	4	6	27	4	6
HOLMES, A. E., Foreman of Works...	420	0	0	...			105	0	0	105	0	0
HORLICK, H., Storeman and Clerk ...	275	0	0	...			36	0	9	36	0	9
HENDERSON, H. P., Clerk	300	0	0	...			49	2	3	49	2	3
JONES, C. C., Clerk of Works ...	500	0	0	125	0	0	55	11	1	180	11	1
JONES, L. M., Timekeeper	300	0	0	...			33	6	8	33	6	8
JAMES, G., Clerk	300	0	0	...			18	15	0	18	15	0
LAMBERT, A. P., Assistant Engineer	540	0	0	...			90	0	0	90	0	0
MILLER, A. J., Clerk	275	0	0	...			13	7	6	13	7	6
MURPHY, W., Clerk	245	0	0	...			25	10	5	25	10	5
MOFFATT, C., Tracer	245	0	0	...			20	8	4	20	8	4
NUTHALL, W. F., Assistant Engineer	570	0	0	...			95	0	0	95	0	0
PARSONS, W. H., Foreman of Works	500	0	0	...			41	13	4	41	13	4
POVALL, J. J., Foreman of Works ...	420	0	0	...			66	10	0	66	10	0
PASLEY, G. N., Clerk	260	0	0	...			7	4	6	7	4	6
RICE, R. E., Foreman of Works ...	380	0	0	...			60	14	0	60	14	0
ROBERTSON, J., Foreman of Works	360	0	0	...			22	0	0	22	0	0
RILEY, A. W., Foreman of Works ...	380	0	0	...			58	1	1	58	1	1
ROGERS, R. J., Storeman and Clerk	300	0	0	...			29	3	4	29	3	4
REIDY, M., Storeman and Clerk ...	320	0	0	...			35	11	0	35	11	0
SIEVWRIGHT, W. D., Clerk	360	0	0	...			30	0	0	30	0	0

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* Ordinance 30/1906—Pension of £266 13*s.* 4*d.* per annum awarded.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
PUBLIC WORKS DEPARTMENT —*cont.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
1903–4—*cont.*												
Somerville, R. W. B., Clerk ...	320	0	0	...			33	6	8	33	6	8
Shaw, C. L., Clerk	300	0	0	...			20	19	4	20	19	4
Webber, H. S., Draughtsman ...	400	0	0	...			100	10	9	100	10	9
Watt, D. C., Storeman and Clerk ...	300	0	0	...			25	0	0	25	0	0
Powlett, J., Transport Conductor	275	0	0	...			38	3	10	38	3	10
Kelly, M. J., Transport Conductor	275	0	0	...			38	3	10	38	3	10
				£125	0	0	£1,739	13	7	£1,864	13	7
1904–5.												
Bevan, W. M., Chief Architect ...	1,500	0	0	1,500	0	0	375	0	0	1,875	0	0
Bull, E. E., District Road Inspector	450	0	0	...			50	17	10	50	17	10
Dalgety, A. P., Chief Clerk ...	450	0	0	...			184	9	6	184	9	6
Fry, I., District Road Inspector ...	450	0	0	...			87	2	0	87	2	0
				1,500	0	0	697	9	4	2,197	9	4
1905–6.												
Broadhead, F. B., Clerk	320	0	0	86	6	9	110	19	5	197	6	2
Boyton, P. L., Clerk	320	0	0	69	13	8	95	7	11	165	1	7
Ford, B. T., Clerk	275	0	0	61	9	11	92	8	1	153	18	0
Jeffrey, W., Gardener	240	0	0	46	1	1	...			46	1	1
Littleton, A. J. P., Transport Officer	475	0	0	60	18	2	...			60	18	2
Olver, G. T., Foreman of Works ...	360	0	0	103	14	2	161	10	0	265	4	2
Wilson, L. H., Mechanical Engineer	650	0	0	216	16	4	326	16	2	543	12	6
Wright, R. S., Transport Officer ...	475	0	0	77	1	8	104	4	9	181	6	5
Venables, H. J., Storekeeper ...	300	0	0	50	0	0	50	0	0	100	0	0
				772	1	9	941	6	4	1,713	8	1
1906–7.												
Armstrong, E. M., Tracer	275	0	0	95	19	3	128	12	7	224	11	10
Armstrong, J. F., Clerk	360	0	0	291	13	4	...			*291	13	4
Allen, J. L., Storekeeper	300	0	0	101	5	7	135	13	8	236	19	3
Birt, L. W., District Road Inspector	475	0	0	143	8	11	115	8	7	258	17	6
Boland, M. A., Clerk	290	0	0	90	6	2	117	14	4	208	0	6
Brown, H. G., Foreman of Works ...	380	0	0	112	19	5	157	11	4	270	10	9
Brown, E. W., Storekeeper	300	0	0	114	1	8	141	14	8	255	16	4
Barnard, L. C., Transport Officer ...	475	0	0	105	1	11	115	8	7	220	10	6
Beeching, W., Assistant Transport Officer.	360	0	0	81	4	8	87	9	8	168	14	4
Carter, E. P., Clerk	290	0	0	75	9	2	121	12	1	197	1	3
Cadiz, C. J. R. G., District Road Inspector.	475	0	0	150	2	2	208	9	0	358	11	2
Clarke, F. R., Inspector of Works	540	0	0	243	10	1	252	0	11	495	11	0
Dawson, F. J., Chief Inspector Roads and Bridges.	1,200	0	0	731	11	10	708	16	9	1,440	8	7
Donelly, C. O. C., Surveyor ...	1,000	0	0	480	0	0	500	0	0	†980	0	0
Davies, D. W., Clerk...	360	0	0	350	0	0	...			‡350	0	0
Francis, G. W., Assistant Electrical Engineer.	440	0	0	188	8	0	88	14	3	277	2	3
Fitzgerald, C. H., Assistant Engineer.	570	0	0	212	13	1	261	9	1	474	2	2
Geers, L. M., Draughtsman	300	0	0	104	1	3	77	8	4	181	9	7
Graham, H. J., Clerk...	300	0	0	90	2	2	131	3	2	221	5	4
Hannigan, M. J., Clerk	380	0	0	129	9	8	172	5	2	301	14	10
Hossack, I., Draughtsman	400	0	0	115	6	10	18	19	7	134	6	5
Hancock, J. S., Assistant Engineer	600	0	0	270	16	8	72	11	7	343	8	3
Hay, R. Drummond, Assistant Transport Officer.	360	0	0	77	10	0	102	11	7	180	1	7
Logan, L. D., Clerk	340	0	0	95	14	4	14	12	6	110	6	10

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* Pension of £60 per annum awarded, of which Imperial Government contribute £7 18*s.* 4*d*

† Pension of £166 19*s.* 4*d.* per annum awarded.

‡ Pension of £90 per annum awarded, of which Imperial Government contribute £21 13*s.* 4*d.*

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
PUBLIC WORKS DEPARTMENT —*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1906-7—*cont.*				
Monson, W. H., Clerk ...	420 0 0	175 2 6	137 12 7	312 15 1
Nichols, C. N. Cubitt, Abstracting Clerk.	340 0 0	95 3 11	136 16 9	232 0 8
Pritchard, C. C. H., District Road Inspector.	475 0 0	183 18 1	228 18 0	412 16 1
Pitt, J. H., District Road Inspector	475 0 0	168 9 11	59 5 8	227 15 7
Pratt, S. H., Assistant Transport Officer.	360 0 0	101 2 11	147 16 5	248 19 4
Russell, A. G., Inspector of Works	600 0 0	252 19 0	299 11 11	552 10 11
Rendall, C. S., Foreman of Works...	420 0 0	94 15 5	102 1 3	196 16 8
Sherwood, H. E., Assistant Surveyor Maintenance.	650 0 0	231 15 0	274 11 2	506 6 2
Sharpe, G. T. L., Draughtsman ...	440 0 0	147 18 6	200 0 7	347 19 1
Siemerink, H., Draughtsman ...	400 0 0	160 3 5	202 11 1	362 14 6
Strong, F. D., Draughtsman... ...	320 0 0	114 14 5	40 8 7	155 3 0
Simoncelli, A., Draughtsman ...	320 0 0	106 15 7	144 6 0	251 1 7
Stratton, A., Abstracting Clerk ...	380 0 0	129 12 7	36 8 0	166 0 7
Springthorpe, A. W., Abstracting Clerk.	360 0 0	127 12 10	30 0 0	157 12 10
Stirling, J. W., Foreman of Works	400 0 0	122 9 10	166 18 8	289 8 6
Slater, F. E., Storekeeper	320 0 0	103 17 8	143 8 9	247 6 5
Thomas, W. E., Draughtsman ...	380 0 0	119 0 2	167 5 6	286 5 8
Udal, A., Clerk	290 0 0	80 3 5	123 13 3	203 16 8
Weston, S. C., Draughtsman ...	360 0 0	120 0 6	57 0 7	177 1 1
Webb, A. E., Draughtsman	300 0 0	112 3 5	104 3 1	216 6 6
Warne, W. M., Assistant Quantity Surveyor.	420 0 0	173 0 11	44 17 11	217 18 10
Wessel, S. H., District Road Inspector.	475 0 0	179 15 8	226 3 5	405 19 1
		7,551 11 10	6,804 6 7	14,355 18 5
1907-8.				
Bathgate, J. D., Assistant Engineer	620 0 0	290 9 6	310 0 0	600 9 6
McLaren, D. D. M., Principal Clerk	650 0 0	313 19 1	284 16 3	598 15 4
		604 8 7	594 16 3	1,199 4 10

CENTRAL SOUTH AFRICAN RAILWAYS—TRANSVAAL.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. GENERAL MANAGER'S DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1903–04. Nil.						
1904–05. *Salaried Staff.*						
Adams, A. R., Clerk	240 0 0	60 0 0	...	...	...	60 0 0
Bolt, A., Clerk	378 10 0	94 10 0	...	...	...	94 10 0
Foster, J. R., Clerk	360 0 0	90 0 0	...	...	...	90 0 0
Green, W. H., Clerk	211 0 0	52 13 0	...	...	17 11 0	70 4 0
Hunt, B. S., Clerk	360 0 0	90 0 0	...	...	...	90 0 0
Kernick, R., Chief Clerk, Medical Department.	552 0 0	138 8 0	111 13 3	...	...	250 1 3
Wilkinson, M. H., Clerk ...	297 0 0	74 5 0	...	...	...	74 5 0
Young, A. D., Solicitor	480 0 0	80 0 0	...	...	40 0 0	120 0 0
Daily Paid Staff.						
Pettit, S. B., Messenger ...	0 12 6 per diem.	57 10 0	...	...	...	57 10 0
		737 6 0	111 13 3	...	57 11 0	906 10 3

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
GENERAL MANAGER'S DEPARTMENT.—*cont.*						
1905–06. *Salaried Staff.*						
Buchanan, J., Assistant to General Manager (indoor).	1,300 0 0	1,300 0 0	258 12 0	257 18 0	*250 0 0	2,066 10 0
Constable, A. J., Assistant to General Manager (outdoor).	1,300 0 0	1,300 0 0	310 11 1	181 7 4	*100 0 0	1,891 18 5
Croghan, Dr. J., Medical Superintendent.	1,300 0 0	564 0 11	548 13 2	...	...	1,112 14 1
Frazer, D., Clerk	192 0 0	...	...	...	16 0 0	16 0 0
		3,164 0 11	1,117 16 3	439 5 4	366 0 0	5,087 2 6
1906–07. *Salaried Staff.*						
Hindman, J., Clerk	378 0 0	...	119 14 0	...	31 10 0	151 4 0
McAuley, J. R., Clerk	281 0 0	...	79 19 7	9 4 3	23 10 4	112 14 2
		...	199 13 7	9 4 3	55 0 4	263 18 2
1907–08. *Salaried Staff:*						
Adams, A. R., Clerk	246 0 0	20 10 0	33 9 8	...	20 10 0	74 9 8
Coleman, E. A., Sectional Clerk	462 0 0	115 10 0	...	6 15 0	38 10 0	160 15 0
Hervey, A. R. A., Clerk ...	372 0 0	93 0 0	93 0 0	6 15 0	31 0 0	223 15 0
Salaried Staff (Joint):						
Armes, A. W.	216 0 0	18 0 0	37 3 2	3 1 5	18 0 0	76 4 7
Chiappini, E.	230 5 0	38 7 6	57 11 3	...	19 3 9	115 2 6
De Waal (Miss) T. M. E. ...	150 0 0	12 10 0	12 10 0	...	12 10 0	37 10 0
Greene, W.	167 0 0	27 16 8	41 15 0	3 7 6	13 18 4	86 17 6
Spon, J.	288 6 0	48 1 0	72 1 6	1 11 1	24 0 6	145 14 1
Talbert, A. J.	270 0 0	22 10 0	57 15 0	3 1 5	22 10 0	105 16 5
Van Breda, S. R.	227 15 0	37 19 2	56 18 9	6 2 10	18 19 7	120 0 4
Winton, C. W.	316 0 0	52 13 4	79 0 0	6 2 10	26 6 8	164 2 10
Daily Paid Staff (Joint):						
Hutley, F.	15*s.* per day.	11 5 0	15 0 0	...	...	26 5 0
	£	498 2 8	556 4 4	36 17 1	215 8 10	1,336 12 11
Grand Total ...	£	4,399 9 7	1,985 7 5	485 6 8	724 0 2	7,594 3 10
RAILWAY SOLICITOR'S DEPARTMENT.						
Salaried Staff. 1903–04 *and* 1904–05. Nil.						
1905–06.						
Spencer, H., Assistant Railway Solicitor.	1,000 0 0	250 0 0	...	...	...	250 0 0
1906–07.						
Milne, R. T., Chief Clerk to Railway Solicitor.	417 0 0	203 10 0	34 15 0	3 7 6	...	246 12 6
Thomson, W. P., Railway Solicitor.	...	1,000 0 0	...	145 0 9	...	1,145 0 9
		1,208 10 0	34 15 0	148 8 3	...	1,391 13 3
1907–08.						
Heller, D., Clerk	348 0 0	29 0 0	87 0 0	...	29 0 0	145 0 0
Grand Total ...		1,487 10 0	121 15 0	148 8 3	29 0 0	1,786 13 3

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* For loss on sale of furniture.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
COMMISSIONER OF RAILWAY'S DEPARTMENT.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Salaried Staff.						
1903–04. Nil.						
1904–05.						
GIROUARD Lt.-Col. Sir E. P. C., K.C.M.G., D.S.O., R.E., Commissioner of Railways.	3,500 0 0	3,500 0 0	...	127 1 0	...	3,627 1 0
HUNT, H. B., Clerk	361 0 0	90 5 0	...	...	...	90 5 0
		3,590 5 0	...	127 1 0	...	3,717 6 0
1905–08. Nil.						
GRAND TOTAL ...		3,590 5 0	...	127 1 0	...	3,717 6 0

Names (in alphabetical order and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Cash equivalent for leave actually earned.	Compensation in lieu of Notice.	Total Compensation.
(TRANSVAAL SALARIED STAFF) TRAFFIC DEPARTMENT, C.S.A.R.	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
1903–04.				
BROWN, C. W., Clerk	212 10 0	...	17 14 2	17 14 2
BELLAMY, R. E., Telegraphist ...	268 0 0	...	22 6 8	*25 8 1
CREAGH, S. B., Clerk	216 0 0	...	18 0 0	18 0 0
CAWTHORN, T. F., Telegraphist ...	187 10 0	...	15 12 6	15 12 6
DUNBAR, Clerk...	252 0 0	...	21 0 0	21 0 0
EVANS, J. D., Telegraphist	202 10 0	...	16 17 6	16 17 6
GRINEAN, C. P., Clerk	209 5 0	...	17 8 9	17 8 9
GREENBERG, J., Junior Clerk ...	120 0 0	...	10 0 0	10 0 0
GILBEY, G. G., Telegraphist	202 10 0	...	16 17 6	16 17 6
GREEN, A. J., Junior Telegraphist ...	48 0 0	...	4 0 0	4 0 0
KEYTER, G. T., Clerk	262 4 0	...	21 17 0	21 17 0
MEYERS, S. F., Clerk	209 5 0	...	16 2 11	16 2 11
McILWAINE, W. R., Clerk	209 5 0	...	17 8 9	†34 17 6
MARTINOVITCH, M., Junior Clerk ...	84 0 0	...	7 0 0	7 0 0
O'CONNELL, A., Junior Clerk ...	144 0 0	...	12 0 0	12 0 0
ROBSON, J. H., Clerk	216 0 0	...	18 0 0	18 0 0
ROOME, F. N., Clerk	216 0 0	...	18 0 0	18 0 0
ROBERTS, D. L., Telegraphist ...	100 0 0	...	8 6 8	8 6 8
SNOW, J. C., Clerk	296 14 0	...	24 14 6	24 14 6
STANTON, R., Junior Telegraphist ...	157 10 0	...	13 2 6	‡15 7 8
SIMMONDS, F. S., Clerk	300 0 0	...	25 0 0	25 0 0
THOMPSON, W. E., Station Master ...	252 0 0	...	21 0 0	21 0 0
TOLEMAN, W. T., Superintendent of Traction Engines.	400 10 0	...	66 15 0	66 15 0
TAYLOR, C. E. C., Telegraphist ...	202 10 0	...	16 17 6	16 17 6
UYS, A. J., Messenger	48 0 0	...	4 0 0	4 0 0
VAN GOVERDEN, C. D., Clerk ...	84 0 0	...	7 0 0	7 0 0
WILSON, T. H., Clerk	218 15 0	...	18 4 7	18 4 7
WADDY, P. R., Clerk	323 15 0	...	0 0 0	§53 19 2
Wood, R. H., Telegraphist	97 4 0	...	8 2 0	8 2 0
WABEKE, B., Clerk	300 0 0	...	25 0 0	25 0 0
			£508 8 6	£585 3 0

* Includes £3 1*s.* 5*d.* Railway fare.
† Includes £17 8*s.* 9*d.* gratuity in respect of service.
‡ Includes £2 5*s.* 2*d.* Railway Fare.
§ Cash equivalent for leave actually earned.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Compensation in lieu of Notice.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(TRANSVAAL SALARIED STAFF) TRAFFIC DEPARTMENT, C.S.A.R.				
1904–05.				
Armes, A. W., Clerk	251 5 0	...	20 18 9	20 18 9
Ashley, G. S., Telegraphist	279 15 0	...	23 6 3	23 6 3
Alexander, W. A. G., Catering Manager.	1,000 0 0	500 0 0	113 8 9*	613 8 9
Bloom, C. J., Clerk	226 0 0	...	18 16 8	18 16 8
Beauchamp, C. O., Clerk	239 10 0	...	19 19 2	19 19 2
Blue, A., Clerk	239 5 0	...	19 18 9	19 18 9
Crump, R. N., Telegraphist	207 10 0	...	17 5 10	†18 16 11
Franks, H. J., Clerk	178 15 0	...	14 17 11	14 17 11
Floquet, B. H., Clerk	189 10 0	...	15 15 10	15 15 10
Heler, A. W., Clerk	204 0 0	...	17 0 0	17 0 0
Hosken, W. B., Clerk	238 16 0	...	19 18 0	19 18 0
Jackson, J. H. M., Telegraphist ...	259 5 0	...	21 12 1	21 12 1
Jeffries, G. A., Station Master ...	312 0 0	...	26 0 0	26 0 0
Kelly, Jas., Station Master	263 0 0	...	21 18 4	21 18 4
Knox, E. W., Station Master... ...	245 0 0	40 16 8	20 8 4	61 5 0
Knowles, C., Clerk	210 8 0	...	17 10 8	17 10 8
Lyons, D., Junior Clerk	120 0 0	...	10 0 0	10 0 0
Mitchell, H. S., Telegraphist ...	222 12 0	...	18 11 0	18 11 0
Manthey, J., Junior Clerk	132 0 0	...	11 0 0	11 0 0
McNeil, W., Junior Clerk	144 0 0	...	12 0 0	12 0 0
Manthey, J., Station Master ...	303 0 0	...	25 5 0	‡50 10 0
McRae, A. J., Clerk	213 0 0	...	17 15 0	17 15 0
McSweeney, P., Clerk	221 5 0	...	18 8 9	18 8 9
Mason, R. G., Telegraphist	214 10 0	...	17 17 6	§19 8 7
Martinovitch, S. W., Telegraphist.	207 10 0	...	17 5 10	§18 16 11
Needham, F. V., Clerk	237 14 0	...	19 17 0	19 17 0
Norton, L. G. B., Clerk	270 0 0	...	22 10 0	22 10 0
O'Connor, J. J., Telegraphist ...	241 10 0	...	20 2 6	20 2 6
O'Donnell, G. M., Telegraphist ...	210 10 0	...	17 10 10	17 10 10
Piper, W., Clerk	233 15 0	...	19 9 7	19 9 7
Powell, J. C., Telegraphist	322 4 0	...	26 17 0	‖29 18 5
Paterson, A., Spl. Ticket Examiner	273 0 0	...	22 15 0	22 15 0
Sullivan, A. J., Clerk	238 16 0	...	19 18 0	19 18 0
Steggall, O., Clerk	239 12 0	...	19 19 4	19 19 4
Spooner, H., Telegraphist	248 0 0	...	20 15 0	**23 17 2
Tyers, W. A., Telegraphist	268 0 0	...	22 6 8	‖25 8 1
Taylor, W., Telegraphist	223 7 6	...	18 12 3	‖21 13 8
Tough, R. A., Telegraphist	298 10 0	...	24 17 6	‖27 18 11
Thompson, W. B., Junior Telegraphist	111 0 0	...	9 5 0	9 5 0
Twomey, E., Junior Telegraphist ...	195 15 0	...	16 6 3	‖19 7 8
Voss, J. V., Telegraphist	294 18 0	...	24 11 6	24 11 6
Van Zyl, A. M., Junior Clerk ...	96 0 0	...	8 0 0	8 0 0
Vickers, H., Clerk	300 0 0	75 0 0	...	‖78 1 5
West, C. W., Telegraphist	241 10 0	...	20 2 6	‖23 3 11
Ward, W. W., Telegraphist	187 10 0	...	15 12 6	15 12 6
Welshford, H. M., Clerk	218 14 0	...	18 4 6	18 4 6
Total	...	615 16 8	944 11 4	1,614 18 4

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* Refund of freight charges on furniture.
† Includes £1 11*s.* 1*d.* railway fare.
‡ Includes £25 5*s.* 0*d.* cash equivalent for leave actually earned.
§ Includes £1 11*s.* 1*d.* railway fare.
‖ Includes £3 1*s.* 5*d.* railway fare.
** Includes £3 2*s.* 2*d.* railway fare.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
(TRANSVAAL SALARIED STAFF) TRAFFIC DEPARTMENT, C.S.A.R.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1905-06.						
ALGAR, E. H., Telegraphist ...	336 0 0	...	109 4 0	...	28 0 0	137 4 0
BALL, J. F. S., Clerk	239 16 0	...	...	...	19 19 8	19 19 8
BLOWER, W. H., Clerk	248 5 0	...	20 13 9	...	...	20 13 9
BURGOYNE, C., Telegraphist ...	272 0 0	...	...	...	22 13 4	22 13 4
DOWDS, E., Clerk	254 15 0	...	...	3 1 5	21 4 7	24 6 0
FRASER, F. H., Traffic Manager...	1,000 0 0	500 0 0	166 13 4	121 13 3	...	788 6 7
LYONS, H., Clerk	261 0 0	...	...	...	22 0 0	22 0 0
MASKANT, C., District Traffic Inspector.	348 0 0	...	...	3 1 5	29 0 0	32 1 5
MORGAN, J. L., Legal Assistant...	605 0 0	100 16 8	100 16 8	...	50 8 4	252 1 8
MEAD-BROWN, E., Assistant Catering Manager.	700 0 0	350 0 0	...	3 17 9	...	353 17 9
O'BRIEN, M., Senior Telegraph Clerk.	570 16 0	...	...	6 15 0	47 11 4	54 6 4
ROBINSON, J., Clerk	300 0 0	75 0 0	...	...	...	75 0 0
SMITH, E. G., Clerk	360 0 0	90 0 0	...	3 1 5	...	93 1 5
TOTAL...	...	1,115 16 8	397 7 9	141 10 3	240 17 3	1,895 11 11
1906-07.						
ADCOCK, G. N., Clerk	180 0 0	...	...	...	15 0 0	15 0 0
BOLT, J., Clerk	240 0 0	...	18 14 2	...	20 0 0	38 14 2
CARNEY, D., Junior Clerk ...	108 0 0	...	...	...	9 0 0	9 0 0
CLOSE, G. F., Clerk	267 0 0	...	96 14 10	3 1 5	...	99 16 3
CONNELL, C. W., Clerk	300 0 0	...	41 18 9	...	25 0 0	66 18 9
COLE, L., Junior Clerk	108 0 0	...	...	...	9 0 0	9 0 0
CHALMERS, E. W., Clerk... ...	240 0 0	...	...	...	20 0 0	20 0 0
ELLIS, R. S., General Inspector (Catering Department).	360 0 0	...	95 0 0	...	30 0 0	125 0 0
FELTON, W. F., Station Master...	383 0 0	...	...	...	31 18 4	31 18 4
GIBSON, C. H. O., Local Manager	240 0 0	...	...	...	20 0 0	20 0 0
GURNEY, K. D., Clerk	216 0 0	...	...	...	18 0 0	18 0 0
GOULD, J. W., Clerk	240 0 0	...	...	...	20 0 0	20 0 0
LIST, O., Telegraphist	240 0 0	...	71 5 0	3 1 5	...	74 6 5
LORING, C. J., Junior Clerk ...	144 0 0	...	...	...	12 0 0	12 0 0
MOWLEM, L., Telegraphist ...	249 10 0	...	...	3 1 5	20 15 10	23 17 3
MCNALLY, E., Stocktaker ...	240 0 0	...	...	...	20 0 0	20 0 0
SPARKS, H. G. L., Clerk	231 0 0	38 10 0	36 12 9	...	19 5 0	94 7 9
THERON, F. W., Assistant Local Manager.	300 0 0	...	...	...	25 0 0	25 0 0
VAN LIES, M. J., Asst. Local Manager.	321 0 0	...	...	3 1 5	26 15 0	29 16 5
WATSON, J., Station Master ...	240 0 0	...	...	...	20 0 0	20 0 0
WATTON, A. G., Telegraphist ...	320 11 2	...	62 6 7	6 2 10	26 14 3	95 3 8
WATSON, J., Clerk	240 0 0	...	20 12 11	10 15 0	20 0 0	51 7 11
	...	38 10 0	443 5 0	29 3 6	408 8 5	£919 6 11
1907-08.						
ADAIR, W. R., Telegraphist ...	317 0 0		69 17 6	6 2 10	26 8 4	102 8 8
BIRMINGHAM, T. B., Clerk ...	500 16 0	125 4 0	125 4 0	6 2 10	41 14 8	298 5 6
BLACK, G., Telegraphist	319 10 0	79 17 6	79 17 6	3 7 6	26 12 6	189 15 0
BURROWS, R. A., Clerk	211 0 0	35 3 4	12 17 11	3 1 5	17 11 8	68 14 4
CARNEY, M. L., Clerk	252 0 0	21 0 0	52 3 2	...	21 0 0	94 3 2
CAMPBELL, K. Clerk	276 0 0	46 0 0	41 8 0	...	23 0 0	110 8 0
CROCKETT, E., Clerk	216 0 0	36 0 0	19 4 0	...	18 0 0	73 4 0
CORNWALL, R. G., Clerk ...	384 0 0	128 0 0	96 0 0	6 2 10	32 0 0	262 2 10
CALCUTT, R. K., Clerk	278 0 0	46 13 4	53 6 2	3 7 6	23 6 8	1[illegible] 13 8
FRENCH, T., Clerk	396 0 0	99 0 0	99 0 0	3 2 2	33 0 0	234 2 2
GOODWIN, L. C., Clerk	300 0 0	...	...	...	25 0 0	25 0 0
GILLIGHAM, J. J., Clerk	261 0 0	43 10 0	65 5 0	3 1 5	21 15 0	133 11 5
HALE, E. G., Clerk	239 0 0	39 16 8	23 4 8	...	19 18 4	82 19 8
HARRISON, R., Telegraphist ...	336 0 0	...	168 0 0	3 1 5	28 0 0	1[illegible]9 1 5
HERMON, W., Goods Agent ...	435 0 0	72 10 0	72 10 0	...	...	*1[illegible]5 0 0
HOLLAND, W. C., Clerk	298 13 0	99 13 3	84 3 2	3 7 6	33 4 5	220 8 4
KLISSER, C. M., Clerk	384 0 0	96 0 0	96 0 0	...	32 0 0	224 0 0
MANNING, L. W., Clerk	258 0 0	43 0 0	9 6 4	7 19 9	21 10 0	81 16 1
MAY, F., Clerk	252 0 0	21 0 0	52 3 2	0 7 6	21 0 0	94 10 8
MCNEIL, E., Clerk	336 0 0	84 0 0	84 0 0	6 2 10	28 0 0	202 2 10
O'BRIEN, A., Miss, Telephonist...	168 0 0	28 0 0	42 0 0	...	14 0 0	84 0 0
RISCH, G. H. C., Elec. Engineer	825 0 0	206 5 0	206 5 0	...	68 15 0	481 5 0
SMITH, F. W., Clerk	340 0 0	85 0 0	71 5 9	3 1 5	28 6 8	187 13 10
THOMPSON, C. E., Clerk	432 0 0	72 0 0	108 0 0	7 13 11	36 0 0	223 13 11
TURRELL, G A., Clerk	232 0 0	19 6 8	...	3 7 6	19 6 8	42 0 10
WILSON, A Clerk	290 0 0	...	120 16 8	3 1 5	...	123 18 1
WILSON, W. T., Clerk	245 16 0	40 19 4	27 15 1	...	20 9 8	89 4 1
WILSON, J., Clerk	240 0 0	...	3 4 6	...	20 0 0	23 4 6
TOTAL	...	1,567 19 1	1,882 17 7	72 11 9	699 19 7	4,223 8 0

* Pension of £198 2*s.* per annum awarded.

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
	£	s.	d.	£	s.	d.
(TRANSVAAL DAILY PAY STAFF) TRAFFIC DEPARTMENT, C.S.A.R.						
1903-04.						
Armstrong, J. F., Checker	0	12	6	8	15	0
Ambler, J., Foreman	0	12	0	8	8	0
Ambler, A., Ticket Examiner	0	12	0	8	8	0
Anderson, J., Checker	0	11	6	7	7	0
Arbieter, M. H., Car Cleaner	0	10	6	7	7	0
Ashmead, H., Guard	0	11	0	7	14	0
Barring, M. P., L. Foreman	0	11	0	7	14	0
Burke, F., Shunter	0	10	6	7	7	0
Bradshaw, A., Shunter	0	11	0	7	14	0
Boyes, F. T., Shunter	0	13	9½	9	13	1
Bugg, J., Porter	0	9	6	6	13	0
Brown, J. T., Checker	0	11	6	7	7	0
Bell, J., Checker	0	11	6	8	1	0
Biffen, F., Signalman	0	11	0	7	14	0
Byrne, P. M. F., Shunter	0	11	6	8	1	0
Barton, G., Checker	0	12	0	8	8	0
Brickwood, T. W., Shunter	0	10	6	7	7	0
Boyd, F., Number Taker	0	12	0	8	8	0
Botha, H. J., Shunter	0	9	6	6	13	0
Baker, C., Shunter	0	11	6	8	1	0
Brown, A. A., Porter	0	10	0	7	0	0
Bissett, O., Pointsman	0	11	6	8	1	0
Batten, F., Pointsman	0	11	0	7	14	0
Buitendacht, A. J. H., Number Taker	0	12	0	8	8	0
Bilsborough, T. P., Shunter	0	12	0	8	8	0
Burden, W., Guard	0	12	6	8	15	0
Berghoff, E., Shunter	0	12	0	8	8	0
Bishop, A. H., Guard	0	13	0	9	2	0
Callaghan, J., Checker	0	11	6	8	1	0
Constable, A., Shunter	0	10	6	7	7	0
Clack, A. W., Checker	0	7	6	5	5	0
Carnegie, J., Watchman	0	11	6	8	1	0
Cope, H. C. E., Fireman	0	10	0	7	0	0
Cannonberg, F., Checker	0	11	6	8	1	0
Crundwell, F., Shunter	0	12	5½	8	14	5
Cripps, W. A., Shunter	0	11	0	7	14	0
Crawford, J., Foreman	0	10	6	7	7	0
Cartwright, C. L., Shunter	0	15	5	10	15	10
Clark, A. J., L. Foreman	0	11	0	7	14	0
Crane, W. E., Shunter	0	10	6	7	7	0
Dalton, S., Checker	0	11	0	7	14	0
Davies, D. I., Shunter	0	11	0	7	14	0
Dilley, A., Shunter	0	13	9½	9	13	1
De Clerk, L. H. P., Shunter	0	12	5½	8	14	5
Dewey, G. E., Checker	0	11	6	8	1	0
De Villiers, J. P. C., Number Taker	0	11	0	7	14	0
De Garvis, F. R., Shunter	0	11	6	8	1	0
Day, A. W., Foreman	0	15	8	10	19	8
Daniels, S., Clerk	0	14	0	9	16	0
Douglas, R., Guard	0	15	6	10	17	4
Davies, H., Guard	0	13	0	9	2	0
Ellis, F. W. T., Shunter	0	12	0	6	12	0
Elliott, W., Guard	0	12	1½	8	9	9
Els, P., Shunter	0	11	0	7	14	0
Evans, W. H., Foreman	0	11	6	8	1	0
Ewartz, J. A., Foreman	0	11	0	7	14	0
Fifield, G., Checker	0	11	0	7	14	0
Fraser, A. E., Checker	0	11	0	7	14	0
Fisher, J. McP., Foreman	0	10	6	7	7	0
Fraser, T., Checker	0	11	6	8	1	0
Francis, F. K., Checker	0	11	6	8	1	0
Fouche, P. J., Shunter	0	11	0	7	14	0
Filmalton, J. D., Foreman	0	11	6	8	1	0
Fox, T, Shunter	0	13	0	9	2	0

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
(TRANSVAAL DAILY PAY STAFF) TRAFFIC DEPARTMENT, C.S.A.R.—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
1903–04.—*cont.*						
Feronz, F. J., Shunter	0	12	6	8	15	0
Gore, S. N., Ticket Examiner	0	12	0	8	8	0
Gardner, J. S., Porter	0	12	0	8	8	0
Gaynor, H., Shunter	0	15	5	10	16	2
Gregson, E. H., Checker	0	11	6	8	1	0
Gammie, J., Shunter	0	11	0	7	14	0
Hendricks, D., Shunter	0	14	0	9	16	0
Hughes, J., Shunter	0	14	7½	10	4	9
Holmes, H., Checker	0	11	0	7	14	0
Henkelman, H. F., Foreman	0	11	6	8	1	0
Hughes, A., Porter	0	10	0	7	0	0
Hepburn, H. M., Checker	0	11	6	8	1	0
Henning, P. H., Number Taker	0	11	0	7	14	0
Hawker, A., Shunter	0	10	6	7	7	0
Horne, T. G., Signalman	0	10	0	7	0	0
Howden, A. L., Checker	0	11	6	8	1	0
Honvert, P. C., Shunter	0	16	2	11	6	4
Henderson, C., Guard	0	13	6	9	9	0
Hewitt, A. G., Number Taker	0	11	6	6	6	6
Heaney, J., Checker	0	11	6	8	1	0
Horner, J. J., Checker	0	11	0	7	14	0
Joubert, J., Pointsman	0	13	9½	9	13	1
James, T., Checker	0	11	6	8	1	0
Jones, T. E., Checker	0	11	0	7	14	0
Kleist, G., Shunter	0	10	6	7	7	0
Kuylaars, A. A., Foreman	0	11	0	7	14	0
King, W. G., Watchman	0	11	6	8	1	0
Kemp, P., Gateman	0	10	6	7	7	0
Kruger, F. J., Shunter	0	9	6	6	13	0
Kea, W., Shunter	0	11	6	8	1	0
Land, C. R., Guard	0	15	6	10	17	0
Leigh, J., Checker	0	12	0	8	8	0
Lancaster, A. E., Number Taker	0	12	6	8	15	0
Le Roux, J. L., Shunter	0	12	0	8	8	0
Lombard, G. S., Number Taker	0	11	0	7	14	0
Lepart, G., Number Taker	0	11	6	8	1	0
Ladbrook, W., Shunter	0	11	6	8	1	0
Lofts, W. S., Checker	0	11	6	8	1	0
Lardner, W. J., Checker	0	11	6	8	1	0
McIntosh, D. A., Checker	0	11	0	7	14	0
Milcham, G. A., Checker	0	10	6	7	7	0
Morkel, S. R., Checker	0	11	6	8	1	0
McDonald, J., Shunter	0	10	6	7	7	0
Moore, W. G., L. Foreman	0	11	0	7	14	0
Mackintosh, G. L., Checker	0	10	6	7	7	0
Must, D. W., Shunter	0	10	6	7	7	0
Meyer, C. T., Shunter	0	11	0	7	14	0
Maitz, J. L., Gateman	0	10	0	7	0	0
Muir, R., Checker	0	10	6	7	7	0
Malga, W., Shunter	0	11	0	7	14	0
Milne, J. H., Checker	0	11	0	7	14	0
McCaw, R. A., Checker	0	11	6	8	1	0
Morton, J. W., Checker	0	11	6	8	1	0
Miller, W. S., Checker	0	11	0	7	14	0
Miller, J. W., Shunter	0	14	6	10	3	0
McGowan, J. A., Checker	0	11	6	8	1	0
Major, J., Shunter	0	12	0	8	8	0
McNalley, T., Shunter	0	10	6	7	7	0
Meyers, C. J., Checker	0	11	0	7	14	0
McFarlane, J., Checker	0	12	0	8	8	0
McEvilley, M. J., Shunter	0	16	2	11	6	4
McDougall, D., Shunter	0	12	0	8	8	0
Nell, H. F., Checker	0	12	6	8	15	0
Naude, B. A., Lampman	0	11	0	7	14	0
Nell, W. J., Shunter	0	15	5½	10	16	5

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
(TRANSVAAL D.P. STAFF) TRAFFIC DEPARTMENT, C.S.A.R.—*cont.*	£	s.	d.	£	s.	d.
1903–04—*cont.*						
NAYLOR, W. O., Checker	0	12	0	8	8	0
ORCHARD, A., Guard	0	12	0	8	8	0
O'BYRNE, P. A., Checker	0	11	6	8	1	0
OOSTHUYSEN, J. A., Shunter	0	11	0	7	14	0
O'CONNER, T., Ticket Examiner	0	11	6	8	1	0
PRINCE, L. C., Checker	0	18	6	12	19	0
PROSSER, S., Signalman	0	11	0	7	14	0
PANTER, F. P., Ticket Examiner	0	11	6	8	1	0
PADEN, R., Shunter	0	14	7½	10	4	9
PILKINGTON, N. P., Shunter	0	11	0	7	14	0
POWELL, J., Guard	0	10	0	7	0	0
PIRIE, J. B., Checker	0	11	6	8	1	0
PURCHASE, W. C., Number Taker	0	10	6	7	7	0
PEAKE, F. E., Foreman	0	11	6	8	1	0
PROBERT, A., Shunter	0	10	6	7	7	0
POTGIETER, S. J., Shunter	0	13	1½	9	3	9
PRIVETT, E., Checker	0	16	2	11	6	4
POULSON, A., Checker	0	11	6	8	1	0
PARKER, S. F., Checker	0	12	0	8	8	0
PERVEN, H., Shunter	0	11	0	7	14	0
PHEALON, D., Number Taker	0	11	6	8	1	0
POTGIETER, F. C., Shunter	0	14	9½	10	7	1
PIENAAR, P. J., Checker	0	11	0	7	14	0
PETERS, W. F., Number Taker...	0	12	0	8	8	0
PRETORIUS, J. L., Shunter	0	11	6	8	1	0
RUTHERFORD, J., Baggageman...	0	11	6	8	1	0
ROBINSON, G. J., Shunter	0	12	0	8	8	0
ROSS, R., Foreman	0	12	0	8	8	0
RAND, F. R., Guard	0	10	6	7	7	0
REYNOLDS, R., Checker	0	15	5	10	15	10
REINECKE, M. P. A., Checker	0	13	1½	9	3	9
REDPATH, T. W., Shunter	0	14	7½	10	4	9
SEELEY, H., Shunter	0	11	6	8	1	0
STRYDON, A. A., Gateman	0	10	0	6	0	0
SINCLAIR, A., Checker	0	11	0	7	14	0
STEENKAMP, B. J., Shunter	0	10	0	7	0	0
SALES, J., Watchman	0	11	0	7	14	0
SIMSON, A., Checker	0	11	6	8	1	0
SMITH, W., Checker	0	11	6	8	1	0
SYMINGTON, J., Stable Foreman	0	10	0	*9	8	4
SWEENEY, J. C., Checker	0	11	6	8	1	0
STICKLAND, H., Checker	0	12	0	8	8	0
SAUNDERS, E. W., Shunter	0	12	0	8	8	0
SHAND, W., Shunter	0	12	6	8	15	0
SHIELD, J. G., Checker	0	14	0	9	16	0
SWEMMER, A., Messenger	0	3	0	2	2	0
TROTTER, M., Guard	0	15	11½	11	3	5
THOMPSON, T., Shunter	0	15	2	10	12	4
THOMSON, W., Shunter	0	11	6	8	1	0
TAYLOR, A., Detective	0	15	0	10	10	0
TURNER, A. J., Checker...	0	11	0	7	14	0
TORQIUS, G. S., Checker...	0	10	6	7	7	0
UCHTMAN, F., Guard	0	11	0	7	14	0
VON DYKEMAN, C. E., Foreman	0	11	0	7	14	0
VAN DER POEL, J. H., Checker	0	11	6	8	1	0
VAN DER WALT, G. J., Shunter	0	10	6	7	7	0
VAN DER MOST VAN SPYK, M., Checker	0	11	6	8	1	0
VENTER, J. A., Number Taker	0	11	6	8	1	0
VAN RENSBERG, N. J., Shunter	0	11	0	7	14	0
WENDRICKS, D., Shunter	0	14	0	9	16	0
WEST, J., Checker	0	11	6	8	1	0
WISE, T. N., Gateman	0	11	6	8	1	0
WRIGHT, H. O., Checker	0	12	0	8	8	0

* Includes £2 8*s.* 4*d.* railway fare.

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
(TRANSVAAL D.P. STAFF) TRAFFIC DEPARTMENT, C.S.A.R.—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
1903–04—*cont.*						
Wells, W. H., Foreman	0	12	0	8	8	0
Woods, A., Shunter	0	11	6	8	1	0
Wright, C., Checker	0	11	6	8	1	0
Wilson, J., Checker	0	12	0	8	8	0
Wemberg, L., Number Taker	0	11	6	8	1	0
White, C., Foreman	0	10	6	7	7	0
Weiser, H., Checker	0	11	0	7	14	0
Wales, A. G., Checker	0	11	0	7	14	0
Watt, O., Checker	0	11	0	7	14	0
Wood, R. E., Checker	0	10	6	7	7	0
Wilkinson, G. E., Checker	0	11	0	7	14	0
Watson, H. T., Lampman	0	9	0	6	6	0
Warriner, A. J., Number Taker	0	15	5	10	15	10
Zastrom, J. W., Number Taker	0	11	0	7	14	0
			£	1,688	5	4
1904-05.						
Auld, J., Engine Driver	1	0	0	14	0	0
Battershall, H. J., Sub-Inspector	0	15	0	10	10	0
Barns, W., Stable Foreman	0	14	0	9	16	0
Bluett, R. T., Stable Foreman	0	16	0	11	4	0
Brierley, L., Checker	0	11	6	8	1	0
Botha, J. P. J., Checker	0	11	0	7	14	0
Beck, L. B., Foreman	0	12	0	8	8	0
Bryant, H. W., Checker	0	12	0	8	8	0
Clark, E., Blacksmith	0	18	0	12	12	0
Coles, F., Harness Maker	0	16	0	11	4	0
Carson, J., Checker	0	11	6	8	1	0
Connolley, R., Checker	0	11	6	4	0	6
Caselberg, E., Checker	0	10	6	7	7	0
Challanger, A. E., Saloon Attendant	0	11	0	7	14	0
Considine, J., Fireman	0	10	0	7	0	0
Driscoll, J., Sailmaker	0	11	6	8	1	0
Darrock, E. T., Carpenter	0	18	0	*19	7	6
Du Common, S., Foreman	0	15	0	10	10	0
De Bruyn, M. J., Checker	0	11	0	7	14	0
Daniels, F. J., Number Taker	0	12	0	8	8	0
Dawning, A., Checker	0	14	6	10	3	0
Dixon, T., Shunter	0	13	6	9	9	0
Eaglestone, W., Blacksmith	0	19	0	13	6	0
Erikson, H., Sailmaker	0	11	6	8	1	0
Floquet, R. E., Checker	0	11	6	8	1	0
Fraser, A. E., Checker	0	11	0	7	14	0
Geere, H. G., Checker	0	12	6	4	7	6
Heys, S. R., Farm Foreman	0	12	0	†11	9	5
Howell, J., Harness Maker	0	17	0	11	18	0
Hunemann, J. B., Foreman	0	17	0	11	18	0
Hughes, A. G., Car Cleaner	0	12	0	8	8	0
Hall, C. G., Sub-Inspector	0	15	0	10	10	0
Ivoncich, G., Sailmaker	0	11	6	8	1	0
Jeffs, G., Guard	0	15	6	10	17	0
Jellis, W. A., Porter	0	10	6	7	7	0
Janssens, F., Inspector of Station	0	13	0	9	2	0
Klein, T., Wheelwright	0	16	11	11	16	10
Labuschagne, J. H., Shunter	0	11	0	7	14	0
Lewis, J., Sailmaker	0	11	6	8	1	0
Mayow, A., Checker	0	11	6	8	1	0
McQueeney, P., Watchman	0	12	0	8	8	0
Meek, W. N., Checker	0	12	0	8	8	0
Naude, J. J., Car Cleaner	0	10	0	7	0	0

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* Includes £6 15*s.* 6*d.* railway fare.

† Includes £3 1*s.* 5*d.* railway fare.

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
(TRANSVAAL D.P. STAFF) TRAFFIC DEPARTMENT, C.S.A.R.—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
1904–05—*cont.*						
O'HALLOVAN, P., Attendant	0	12	0	8	8	0
PIETERS, G., Sailmaker	0	11	6	8	1	0
PICKSTONE, J. P., Wheelwright	0	16	11	11	16	10
PRETORIUS, J. S., Checker	0	11	6	8	1	0
PRINCE, JAS., Checker	0	12	6	8	15	0
PERICH, A., Sailmaker	0	13	0	9	2	0
PIENAAR, N. J., Shunter	0	11	6	8	1	0
RITCHIE, D. D., Guard	0	13	6	9	9	0
RANDELL, T. P. L., Ticket Examiner	0	13	6	9	9	0
RAWBONE, W. G., Detective	0	15	0	10	10	0
SEE, H. D., Checker	0	11	6	8	1	0
SOWVIS, A., Sailmaker	0	11	6	8	1	0
SHERARD, N. C., Checker	0	11	6	8	1	0
SMITH, C. W., Harness Maker	0	15	0	10	10	0
SMITH, W. J., Checker	0	12	0	8	8	0
STAUTHERS, G. B., Checker	0	11	0	7	14	0
STIGLICH, T., Sailmaker	0	11	6	8	1	0
STRAUSS, A. M., Guard	0	12	0	8	8	0
THOMPSON, T. H., Tailor	0	14	0	9	16	0
TEARE, J. S., Foreman Ctg.	0	17	0	11	18	0
VAN WERMESKERKEN, E., Checker	0	11	6	8	1	0
VAN DER POEL, C. A., Guard	0	10	0	7	0	0
VAN DER BROEKE, J. G., Checker	0	11	6	8	1	0
VAN WEZEL, J., Foreman Ctg.	0	14	0	9	16	0
VAN OS, I. J., Checker	0	11	6	8	1	0
WRIGHT, A., Brakesman	0	11	10	8	5	8
WATSON, J., Harness Maker	0	14	0	9	16	0
WILSON, J., Painter	0	16	0	*13	9	2
WILSON, J. G., Checker	0	13	0	9	2	0
WHITE, P. F. F., Checker	0	11	6	8	1	0
WATSON, J., Carpenter	0	17	0	11	18	0
WALLER, H., Brakesman	0	12	0	8	8	0
Total	...			£690	10	5
1905–06.						
BOLTMAN, P. J., Foreman	0	11	0	7	14	0
CRAIG, J., Wheelwright	0	18	0	12	12	0
EBERSOHN, W. H., Checker	0	12	0	8	8	0
JONES, T., Blacksmith	0	19	0	13	6	0
LEWIS, F. S., Checker	0	14	0	†16	16	0
WOODGATE, G. M., Checker	0	11	0	7	14	0
Total	...			£66	10	0
1906–07.						
ALLPASS, J. J., Harness Maker	0	17	6	‡16	15	4
BENNETT, A. E., Checker	0	5	0	3	10	0
CHAPPELL, W. T. E., Messenger	0	4	0	2	16	0
DOUGLASS, T., Local Manager	12	10	p.m.	6	5	0
ELLIS, S., Messenger	0	3	0	2	2	0
FORD, F., Craneman	p.h.	2	0½	11	18	8
GEBER, F., Van Driver	0	7	6	5	5	0
HAILSTONE, C., Messenger	0	3	0	2	2	0
HARBQARD, A. H., Checker	0	11	6	§10	10	8
HARRIGAN, T., Checker...	0	12	0	8	8	0
HAWKINS, S., Shunter	0	12	6	*11	0	2
HENDRICKS, H. W., Checker	0	11	6	8	1	0
HOUBERT, C., Checker	0	13	0	9	2	0
HOUSTON, A., Storeman...	0	14	0	9	16	0

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* Includes £2 5*s.* 2*d.* Railway fares.
† Includes £7 cash equivalent for leave actually earned
‡ Includes £4 10*s.* 4*d.* Railway fares.
§ Includes £2 9*s.* 8*d.* Railway fares.

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Total Compensation in lieu of Notice.		
(TRANSVAAL D.P. STAFF) TRAFFIC DEPARTMENT, C.S.A.R.—*cont.* 1906–07—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
INGRAM, R., Fireman	0	10	0	7	0	0
IRVINE, E., Checker	0	11	0	*9	19	2
IRVINE, T. A., Checker	0	11	6	8	1	0
JACOBS, P. J., Watchman	0	10	6	7	7	0
LANDSBERG, H. G., Number Taker	0	10	0	7	0	0
LEIGH, A. C., Checker	0	12	6	8	15	0
LE SUEUR, J. J., Checker	0	11	0	7	14	0
MARAIS, J., Watchman	0	10	6	7	7	0
MARSHALL, E. J., Shunter	0	11	0	7	14	0
MCINNES, G., Porter	0	10	0	7	0	0
MCKEW, J., Checker	0	12	6	8	15	0
MUST, D. W., Shunter	0	11	0	7	14	0
NELSON, E. J., Checker	0	12	6	8	15	0
PALMER, A., Porter	0	10	0	†9	9	8
POOLE, J. H., Constable	0	11	0	7	14	0
RATREBURG, W. H., Checker	0	11	0	7	14	0
ROWE, E., Traction Engine Driver	1	0	0	‡21	9	0
SMITH, E., Checker	0	11	6	§8	4	2
SMITH, H., Traction Engine Driver	1	0	0	14	0	0
SUTHERLAND, J. H., Traction Engine Driver ...	1	0	0	14	0	0
SIMON, A. G., Watchman	0	12	6	8	15	0
TWOSE, T., Porter	0	10	0	7	0	0
VAN ASWEGAN, C. J., Gateman	0	10	0	‖10	0	0
VAN DER WESTHUIZEN, J. J., Gateman.	0	10	0	¶11	0	0
VAN GASS, J. G., Shunter	0	13	6	**16	4	0
VAN HEERDEN, P. A., Wagonman	0	10	0	7	0	0
VARLEY, G. O., Telegraphic Messenger	4*s.* and £12 Cycle.			2	16	0
WILLIAMS, E. L., Junior Checker	0	5	0	3	10	0
WILLIAMS, E. L., Blacksmith	0	19	0	13	6	0
WILLIAMS, I. L., Checker	0	11	0	7	14	0
	...			£380	8	10

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.			Compensation Granted.											
				Cash equivalent for leave actually earned.			Railway Fares and Steamship Passages.			Compensation in lieu of Notice.			Total Compensation.		
(TRANSVAAL D. P. STAFF) TRAFFIC DEPARTMENT, C.S.A.R. 1907–08.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
AHNELT, A. F. P., Checker ...	0	7	0	...			..			4	18	0	4	18	0
AITCHISON, J. E., Checker ...	0	11	0	...			...			7	14	0	7	14	0
APPLETON, C. P., Sub-Inspector	0	15	6	...			...			...			††41	1	6
BANKS, F. A., Foreman	0	12	6	5	0	0	2	9	2	8	15	0	16	4	2
HAROLD, R., Cloakroom Attendant.	0	12	0	...			2	5	2	8	8	0	10	13	2
KENT, C., Local Manager ...	15	p.m.		...			...			...			††15	0	0
MORGAN, D. G., Guard	0	15	0	...			...			10	10	0	10	10	0
NORRIE, J. L., Storeman ...	0	17	0	13	12	0	2	5	2	11	18	0	27	15	2
NELL, H. F., Porter	0	10	0	...			...			7	0	0	7	0	0
POWELL, J., Checker	0	12	0	...			0	8	9	8	8	0	8	16	9
SMIT, G. H., Daily-paid Clerk ...	0	11	6	...			...			8	1	0	8	1	0
WOODWARD, D. A., Fireman ...	0	17	3	7	7	0	...			12	1	6	19	8	6
	...			15	19	0	7	8	3	87	13	6	177	2	3

* Includes £2 5*s.* 2*d.* Railway fares.
† Includes £2 9*s.* 8*d.* Railway fares.
‡ Includes £7 9*s.* Railway fare.
§ Includes £2 9*s.* 2*d.* Railway fare.
‖ Cash equivalent for leave actually earned.
¶ Includes £4 cash equivalent for leave actually earned.
** Includes £6 15*s.* 0*d.* cash equivalent for leave actually earned.
†† Gratuity in respect of Service.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1903–4.					
BLACK, A. G., Coal Inspector ...	250 0 0	...	...	20 16 8	20 16 8
DAVIS, A. T., Storeman	337 10 0	...	...	28 2 6	28 2 6
EVETTS, W., Draughtsman ...	324 0 0	...	...	27 0 0	27 0 0
GROSS, F., Draughtsman ...	297 0 0	...	...	24 15 0	24 15 0
LAWRENCE, A. W., Clerk ...	290 5 0	...	...	72 11 3	72 11 3
LEANE, E. T., Clerk	531 6 0	...	132 16 0	...	132 16 0
PRESS, A. W., Tracer	212 15 0	...	...	18 11 3	18 11 3
PRESS, W. J., Works Manager ...	1,000 0 0	...	500 0 0	...	500 0 0
REITH, J. H., Clerk	282 0 0	...	...	23 10 0	23 10 0
RIDLEY, G. F., Clerk	256 10 0	...	...	64 2 6	64 2 6
TABUTEAU, H. R., Clerk ...	337 0 0	...	...	84 7 6	84 7 6
TOTAL	4,118 6 0	...	632 16 0	363 16 8	996 12 8
1904–5.					
BURNETT, A. S., Assistant Chief Locomotive Superintendent.	1,400 0 0	700 0 0	...	...	700 0 0
EVANS, C. H., Clerk	272 8 0	...	37 16 8	22 14 0	60 10 8
FRY, W. E., Coal Inspector ...	406 5 0	101 11 3	...	...	101 11 3
FOLLOWS, P. J., Clerk	328 1 0	...	...	54 13 6	54 13 6
FITZPATRICK, J. C., Clerk ...	245 8 0	...	36 5 0	20 9 0	56 14 0
GRIMSLEY, F. R., Clerk	270 0 0	...	53 14 2	22 10 0	76 4 2
HYDE, P. A., Chief Locomotive Superintendent.	2,000 0 0	500 0 0	500 0 0	...	1,000 0 0
HARRINGTON, E. R., Clerk ...	362 18 9	...	105 17 3	30 4 11	136 2 2
KERR, W. F., Clerk	293 10 0	...	86 8 4	24 9 2	110 17 6
LUXON, A. J., District Clerk ...	433 10 0	...	162 11 3	36 2 6	198 13 9
LYCETT, H. M. S., Clerk ...	263 5 0	...	...	21 18 4	21 18 4
LANDSBERG, H. G., Draughtsman	303 12 0	...	...	25 6 0	25 6 0
NEWTON, G., Clerk	405 0 0	202 10 0	...	...	202 10 0
RAE, I. D., Clerk	249 15 0	...	29 10 10	20 16 3	50 7 1
SMITH, A. W., Clerk	283 10 0	...	68 11 10	23 12 6	92 4 4
TURNER, C. A., Clerk, ...	270 0 0	...	...	22 10 0	22 10 0
WHITEHEAD, E., Clerk	243 0 0	...	24 16 6	20 5 0	45 1 6
	8,030 2 9	1,504 1 3	1,105 11 10	345 11 2	2,955 4 3
1905–6.					
COLLINS, A., Clerk	290 0 0	..	118 8 4	24 3 4	142 11 8
CHUTE, M. L., Assistant Locomotive Superintendent.	408 12 0	102 3 0	112 8 6	34 1 0	248 12 6
DOWNES, R. H., C. C. Clerk ...	387 10 0	239 9 10	184 1 3	32 5 10	455 16 11
HAWKE, N., Indent Clerk ...	376 0 0	143 12 3	49 1 9	31 6 8	224 0 8
LEWIS, T., Station Superintendent	348 0 0	93 0 10	63 16 0	29 0 0	185 16 10
WILLIAMS, E. S., Clerk	237 0 0	..	64 12 6	19 15 0	84 7 6
	2,047 2 0	578 5 11	592 8 4	170 11 10	1,341 6 1
1906–7.					
BYNG, H. R., Acting Locomotive Inspector.	418 10 0	217 19 4	19 15 4	34 17 6	272 12 2
CLARKSON, A. W. H., Acting Chief Draughtsman.	636 0 0	...	359 0 9	53 0 0	412 0 9
CUNNINGHAME, G. B., Clerk ...	200 0 0	...	4 17 10	16 13 4	21 11 2
HUGHES, D. S. J., Clerk... ...	282 0 0	...	27 8 4	23 10 0	50 18 4
WILCOCKS, W. T., Technical Storeman.	380 0 0	...	154 2 3	31 13 4	185 15 7
WILCOCKS, P. E., Clerk	84 0 0	...	17 19 4	7 0 0	24 19 4
	2,000 10 0	217 19 4	583 3 10	166 14 2	967 17 4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Pay in lieu of Notice.	Total Compensation.
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.* Salaried Staff. 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Alstone, H. H., Clerk	382 0 0	127 6 8	88 1 6	31 16 8	247 4 10
Armitage, F. A. G., Clerk ...	285 0 0	47 10 0	71 5 0	23 15 0	142 10 0
Benson, H., Clerk	240 0 0	20 0 0	40 0 0	20 0 0	80 0 0
Bartleet, H., Locomotive Accountant.	586 10 0	...	...	48 17 6	*48 17 6
Bowser, H. A., Draughtsman ...	268 0 0	22 6 8	36 9 6	22 6 8	81 2 10
Brissenden, A. W., Clerk ...	324 0 0	54 0 0	81 0 0	27 0 0	162 0 0
Campbell, J., Pay Clerk ...	347 10 0	57 18 4	68 10 9	28 19 2	155 8 3
Douglas, J. A., Clerk	326 0 0	54 6 8	18 2 3	...	72 8 11
Duggan, R. W., First Clerk ...	357 0 0	89 5 0	89 5 0	29 15 0	208 5 0
Follows, P. J., Clerk	258 0 0	21 10 0	40 17 0	21 10 0	83 17 0
Fox, J., D.C.W. Inspector ...	395 0 0	...	58 3 1	...	58 3 1
Green, C., Clerk	287 10 0	47 18 4	93 0 6	23 19 2	164 18 0
Hartford, H. P., Clerk ...	225 0 0	18 15 0	23 15 0	18 15 0	61 5 0
Harrison, W. H., Railway Storekeeper.	760 0 0	126 13 4	190 0 0	...	316 13 4
Josephs, W. W., Draughtsman	306 0 0	...	43 0 0	25 10 0	68 10 0
McClelland, G., Assistant Locomotive Accountant.	417 10 0	104 7 6	104 7 6	34 15 10	243 10 10
Marshall, T., Draughtsman ...	288 0 0	24 0 0	56 16 0	24 0 0	104 16 0
Oakes, R., Principal Assistant to Chief Locomotive Superintendent.	1,100 0 0	733 6 8	...	...	733 6 8
Reid, R., Clerk	334 5 0	83 11 3	83 11 3	27 17 1	194 19 7
Reed, S., Clerk	326 0 0	81 10 0	75 1 4	27 3 4	183 14 8
Stroud, C. F., Clerk	294 0 0	73 10 0	8 3 4	24 10 0	106 3 4
Smart, L. S., Chief Locomotive Superintendent.	2,000 0 0	1,333 6 8	...	...	1,333 6 8
Sabine, C. G., Clerk	258 0 0	21 10 0	46 11 8	21 10 0	89 11 8
Stott, E., Clerk	306 0 0	51 0 0	34 17 0	25 10 0	111 7 0
Tremewan, H. E., Clerk ...	324 0 0	54 0 0	81 0 0	27 0 0	162 0 0
Tweedy, A. C., Inspecting Officer	600 0 0	150 0 0	76 13 4	...	226 13 4
Welburn, S., Clerk	258 0 0	43 0 0	45 3 0	21 10 0	109 13 0
Wilson, W. T., Clerk	240 0 0	40 0 0	52 0 0	20 0 0	112 0 0
Total	12,093 5 0	3,480 12 1	1,605 14 0	576 0 5	5,662 6 6

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Total Compensation, in lieu of Notice.
DAILY PAID STAFF. C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT. 1903–4.	£ s. d.	£ s. d.
Adams, J., Fitter	287 17 0	13 6 0
Agostine, B. de, Wagon Fitter	227 5 0	10 10 0
Arbieter, J. H., Fitter	267 13 0	12 7 4
Almond, H., Wagon Fitter	227 5 0	10 10 0
Adcock, T. P., Cleaner	60 12 0	2 16 0
Adams, M., Truck Fitter	196 19 0	9 2 0
Abrim, M., Examiner	174 4 6	8 1 0
Allen, A., Fitter	287 17 0	13 6 0
Brown, J., Fitter	244 18 6	11 6 4
Beverage, R., Carpenter	282 16 0	13 1 4
Buckley, T., Carpenter	287 17 0	13 6 0
Bentley, A., Fitter	287 17 0	13 6 0
Bancroft, N. L., Fitter	267 13 0	12 7 4
Barentsen, B. F., Carpenter	252 10 0	11 13 4

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* Pension also awarded of £97 7*s.* 11*d.* per annum.

Name (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	s.	d.	£	s.	d.
Daily-paid Staff.						
1903–4—*cont.*						
BOTES, J., Improver	151	10	0	7	0	0
BYRNE, M. C., Carpenter	247	13	0	11	8	8
BINCKES, C., Carpenter	267	13	0	12	7	4
BROWN, A., Tinsmith	277	15	0	12	16	8
BOSCH, C., Oiler	60	12	0	2	16	0
BLACK, A. M., Driver	212	2	0	9	16	0
BUYS, C., Driver	242	8	0	11	4	0
BATTERSHILL, F. L., Storeman	166	13	0	7	14	0
BENNING, P. C., Wagon Fitter	212	2	0	9	16	0
BATH, G. H., Fireman	136	17	0	6	6	0
BROWN, H. A., Fireman	166	13	0	7	14	0
BILLSLAND, J., Coachbuilder	287	17	0	13	6	0
BASS, J. S., Messenger	60	12	0	2	16	0
BUYS, W. J., Oiler	75	15	0	3	10	0
BOTHA, P., Oiler	60	12	0	2	16	0
BOTHA, J., Oiler	60	12	0	2	16	0
BENNETT, T. R., Carpenter	267	13	0	12	7	4
BACKHOUSE, J. W., Fireman	166	13	0	7	14	0
BELLARD, B., Fireman	166	13	0	7	14	0
BASHFORTH, T., Moulder	282	16	0	13	1	4
BARNARD, F., Carpenter	282	16	0	13	1	4
BAKKEN, H., Examiner	174	4	6	8	1	0
COTTY, C., Fitter	287	17	0	13	6	0
CONNELL, J. W., Fitter	222	14	0	12	12	0
CRANE, J. R., Wagon Fitter	207	1	0	9	11	4
CROUCHE, D. W., Fitter	267	13	0	12	7	4
CORINTHIOS, J., Carpenter	262	12	0	11	12	8
CLEMENTS, G. H., Carpenter	247	13	0	11	8	8
CHILTON, J., Wagon Fitter	196	19	0	9	2	0
COOPER, W., Fitter	287	17	0	13	6	0
CLARK, J. E., Truck Fitter	212	2	0	9	16	0
CORNEILLE, J., Fireman	166	13	0	7	14	0
CARSON, A. H., Truck Fitter	217	3	0	10	0	8
CRAWFORD, K. D., Storeman	196	19	0	9	2	0
CELLIERS, A. A., Apprentice	60	12	0	2	16	0
DUNSMORE, K. E., Machinist	237	7	0	10	19	4
DAY, W. J., Carpenter	262	12	0	11	12	8
DOBSON, A., Driver	212	2	0	9	16	0
DU PLESSIS, B. J., Oiler	60	12	0	2	16	0
DICK, M. M., Wagon Fitter	227	5	0	10	10	0
DAVIDSON, J., Pump Fitter	277	15	0	12	16	8
DOWDEN, M., Driver	212	2	0	9	16	0
DU PLESSIS, A. J., Fireman	166	13	0	7	14	0
DU PREEZ, J. H., Oiler	60	12	0	2	16	0
DE BEER, R. A., Fireman	166	13	0	7	14	0
DALE, J., Fireman	174	4	6	8	1	0
DE WET, J. M., Storeman	136	7	0	6	6	0
EATON, W., Rivetter	232	6	0	10	14	8
EVANS, G., Oiler	60	12	0	2	16	0
ESCH, R., Cleaner	60	12	0	2	16	0
ESPAG, J. H., Fireman	136	17	0	6	6	0
FRASER, A., Carpenter	308	1	0	14	4	8
FRASER, J. M., Moulder	267	13	0	12	7	4
FOTHERINGHAM, G., Examiner	166	13	0	7	14	0
FELL, W., Carpenter	262	12	0	11	12	8
FORSTER, J. T., Turner	272	14	0	12	12	0
FOURIE, S. J., Wagon Fitter	207	1	0	9	11	4
FRANKLIN, J. H., Cleaner	60	12	0	2	16	0
FOURIE, P., Oiler	60	12	0	2	16	0
FAWCETT, F., Driver	212	2	0	9	16	0
GREENING, J., Truck Fitter	247	13	0	11	8	8
GRAY, C. J., Examiner	166	13	0	7	14	0
GLENNLINNING, C., Oiler	60	12	0	2	16	0
GLENDON, W. P., Apprentice	40	8	0	1	17	4
GRIFFIN, L., Fireman	174	4	6	8	1	0

Name (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
Daily-paid Staff.						
1903-4—*cont.*						
Gibson, J. G., Fitter	287	17	0	13	6	0
Green, W., Driver	219	13	6	10	3	0
Gosman, C., Driver	212	2	0	9	16	0
Gummow, E., Fireman	166	13	0	7	14	0
Grant, W. H., Pumper	181	16	0	8	8	0
Goodall, J., Driver	212	2	0	9	16	0
Gray, T. G., Moulder	272	14	0	12	12	0
Haynes, H., Boilermaker	277	15	0	12	16	8
Horne, P. C., Truck Fitter	242	8	0	11	4	0
Hammond, S., Oiler	60	12	0	2	16	0
Howden, G., Driver	212	2	0	9	16	0
Hill, A., Boilermaker	287	17	0	13	6	0
Hall, W., Driller	186	17	0	8	12	8
Hattingh, H., Painter	237	7	0	10	19	4
Halford, S., Truck Fitter	227	5	0	10	10	0
Harris, G., Truck Lifter	186	17	0	8	12	8
Hesselman, C., Apprentice	50	10	0	2	6	8
Hehir, D., Truck Lifter	176	15	0	8	3	4
Hills, J. E., Truck Repairer	189	7	6	8	15	0
Harding, J. T., Pd. Fireman	196	19	0	9	2	0
Hoole, G. R., Boilermaker	287	17	0	13	6	0
Hughes, W., Blacksmith	272	14	0	12	12	0
Hay, R., Wagon Fitter	222	4	0	10	5	4
Hulford, H., Fireman	166	13	0	7	14	0
Hoche, A., Fitter	257	11	0	11	18	0
Hobson, J., Fitter	181	16	0	8	8	0
Herholdt, H. J., Cleaner	60	12	0	2	16	0
Hodgins, J., Cleaner	60	12	0	2	16	0
Hayden, H., Brass finisher	267	13	0	12	7	4
Irven, W., Fitter	272	14	0	12	12	0
Ireland, A., Fireman	136	17	0	6	6	0
Johnstone, G., Pump Fitter	287	17	0	13	6	0
Jacobs, D., Apprentice	50	10	0	2	6	8
Jordan, J., Fireman	166	13	0	7	14	0
Jordan, P., Oiler	60	12	0	2	16	0
Joubert, J. F., Fireman	166	13	0	7	14	0
Jenkins, E. J., Moulder	257	11	0	11	18	0
Kalkwarf, J., Fitter	272	14	0	12	12	0
Kellie, J., Boilermaker	287	17	0	13	6	0
Kennedy, A., Turner	267	13	0	12	7	4
Kotzee, T. P., Painter	207	1	0	9	11	4
Knight, R., Driver	212	2	0	9	16	0
Koekoemoor, R. J., Oiler	60	12	0	2	16	0
Koevort, J. A. F., Cleaner	60	12	0	2	16	0
Landman, W., Fireman...	166	13	0	7	14	0
Lyall, C. L. H., Carpenter	282	16	0	13	1	4
Law, C., Carpenter	277	15	0	12	16	8
Landers, J., Labourer	166	13	0	7	14	0
Langley, A. J., Wagon Fitter	217	3	0	10	0	8
Luyt, D., Oiler	60	12	0	2	16	0
Landerman, J. C., Oiler	60	12	0	2	16	0
McCann, J., Truck Fitter	247	13	0	11	8	8
McKinnon, J., Carpenter	282	16	0	13	1	4
McLean, H., Oiler	60	12	0	2	16	0
Marsh, T., Boilermaker	287	17	0	13	6	0
Margerson, R., Fireman	166	13	0	7	14	0
Mulcahey, A. H., Sawyer	227	5	0	10	10	0
McGarry, T. J., Labourer	181	16	0	8	8	0
Melville, H. L., Fireman	166	13	0	7	14	0
Muir, R., Carpenter	252	10	0	11	13	4
Malcolm, T. F., Fitter	282	16	0	13	1	4
Mitchell, C. A., Blacksmith	272	14	0	12	12	0
Markey, P., Painter	267	13	0	12	7	4
Muir, T., Fitter	272	14	0	12	12	0
Muir, W. J., Fitter	272	14	0	12	12	0

Name (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.* Daily-paid Staff. 1903-4—*cont.*	£	s.	d.	£	s.	d.
Miles, A. J., Wagon Fitter	222	4	0	10	5	4
Moult, B. J., Fireman	189	7	6	8	15	0
Miller, J. H., Fireman	174	4	6	8	1	0
Mitchell, J. B., Cleaner	60	12	0	2	16	0
McQuade, J. J., Cleaner	60	12	0	2	16	0
Moore, A., Oiler	60	12	0	2	16	0
Meiring. P. J., Oiler	60	12	0	2	16	0
Makins, W. G., Fireman	166	13	0	7	14	0
Maas, G. H., Fireman	174	4	6	8	1	0
Murray, H., Fireman	166	13	0	7	14	0
Morrison, H., Turner	267	13	0	12	7	4
Mullis, J., Boilermaker	277	15	0	12	16	8
Menne, D. A., Call Boy	75	15	0	3	10	0
Norton, J. H., Turner	252	10	0	11	13	4
Norton, T., Fireman	166	13	0	7	14	0
Oasthuizen, D. A. J., Oiler	60	12	0	2	16	0
Ormiston, A., Wagon Fitter	227	5	0	10	10	0
Parsons, F., Carpenter	282	16	0	13	1	4
Phillips, J. G., Fitter	272	14	0	12	12	0
Parkyns, C. S., Improver	169	3	6	7	16	4
Plumb, F. R., Painter	237	7	0	10	19	4
Potgieter, J. T., Painter	227	5	0	10	10	0
Pursaill, J. T., Turner	272	14	0	12	12	0
Panaino, F., Boilermaker	287	17	0	13	6	0
Powell, J. B., Cleaner	60	12	0	2	16	0
Prinsloo, W. J., Fireman	136	17	0	6	6	0
Potts, F., Fireman	166	13	0	7	14	0
Pall, W., Storeman	166	13	0	7	14	0
Roberts, E., Carpenter	247	13	0	11	8	8
Robertson, W. M., Painter	247	13	0	11	8	8
Round, P., Carpenter	277	15	0	12	16	8
Ritchie, J. M., Painter	277	15	0	12	16	8
Roberts, G. B., Painter	242	8	0	11	4	0
Ritchie, G. B., Wagon Fitter	212	2	0	9	16	0
Ray, R. T., Wagon Fitter	222	4	0	10	5	4
Rautenbach, D. P., Wagon Fitter	207	1	0	9	11	4
Ryan, J., Pumper	151	10	0	7	0	0
Rickard, A., Fireman	136	17	0	6	6	0
Reilly, J. H., Fireman	136	17	0	6	6	0
Reid, T. J., Chargeman	318	3	0	14	14	0
Roberts, G. F., Examiner	166	13	0	7	14	0
Ridley, T. H., Clerk	151	10	0	7	0	0
Smith, T. J., Carpenter	282	16	0	13	1	4
Smith, J. E., Carpenter	282	16	0	13	1	4
Steele, J., Oiler	60	12	0	2	16	0
Siemens, A. E., Apprentice	50	10	0	2	6	8
Smith, N. G., Apprentice	50	10	0	2	6	8
Spiers, R., Truck Fitter	237	7	0	10	19	4
Sherratt, W., Fitter	237	7	0	10	19	4
Swanepoel, C. J., Plumper	181	16	0	8	8	0
Searle, T., Examiner	181	16	0	8	8	0
Sherriffs, D., Watchman	166	13	0	7	14	0
Stellard, T. A., Painter	227	5	0	10	10	0
Shaw, B., Carpenter	267	13	0	12	7	4
Stewart, R., Timekeeper	212	2	0	9	16	0
Spark, A. H., Timekeeper	181	16	0	8	8	0
Stewart, J. R., Truck Fitter	196	19	0	9	2	0
Swanson, W., Fitter	272	14	0	12	12	0
Stephenson, W., Fireman	166	13	0	7	14	0
Sinclair, J. C., Truck Fitter	242	8	0	11	4	0
Schutte, H. J., Truck Fitter	217	3	0	10	0	8
Smith, J. E., Truck Fitter	222	4	0	10	5	4
Stone, A. B., Truck Fitter	212	2	0	9	16	0
Slanck, W. J., Driver	212	2	0	9	16	0
Schrodel, E., Wireman	196	19	0	9	2	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
Daily-paid Staff.						
1903–4—*cont.*						
Stevens, W., Fitter	287	17	0	13	6	0
Treisk, R., Truck Fitter	212	2	0	9	16	0
Trickhardt, G, J., Oiler	60	12	0	2	16	0
Trebilcock, A., Carpenter	282	16	0	13	1	4
Tough, G. J., Turner	257	11	0	11	18	0
Taylor, P. G., Carpenter	257	11	0	11	18	0
Taylor, J. E., Fireman	196	19	0	9	2	0
Topliss, F., Storeman	181	16	0	8	8	0
Tonkin, J., Painter	257	11	0	11	18	0
Vituli, A., Oiler	60	12	0	2	16	0
Van Rensburg, C. L., Fireman	196	19	0	9	13	0
Van d. Walt, P. J., Fireman	166	13	0	7	14	0
Van d. Merwe, J., Oiler	60	12	0	2	16	0
Van Aswegan, D., Examiner	151	10	0	7	0	0
Van d. Schyff, J. T., Fireman	189	7	6	8	15	0
Van Dyk, J., Carpenter	247	13	0	11	8	8
Woolcott, W. R., Fitter	272	14	0	12	12	0
Watson, J., Turner	282	16	0	13	1	4
Wilder, J. T., Painter	247	13	0	11	8	8
Wiltshire, B. C., Labourer	176	15	0	8	3	4
Wingate, J., Driver	212	2	0	9	16	0
Whitfield, R. D., Turner	252	10	0	11	13	4
Wade, J. E., Fitter	257	5	0	10	10	0
Watson, E. G., Driver	234	16	6	10	17	0
Wepener, E. D., Oiler	60	12	0	2	16	0
Wills, C. E., Fireman	181	16	0	8	8	0
Wynne, J., Fitter	287	17	0	13	6	0
Yare, W., Blacksmith	282	16	0	13	1	4
Total £	46,830	18	6	2,163	11	4
1904–5.						
Anderson, J., Boilermaker	282	16	0	13	1	4
Arnold, T. E., Craneman	196	19	0	9	2	0
Bowring, F., Wireman	242	8	0	11	4	0
Ballantyne, J., Fireman	174	4	6	8	1	0
Bierowski, P. J., Fireman	136	7	0	6	6	0
Bell, J. E., Fitter	257	11	0	11	18	0
Birch, A., Coachbuilder	280	5	6	12	19	0
Beaton, G., Coachbuilder	282	16	0	13	1	4
Ballantyne, G. K., Truck Fitter	252	10	0	11	13	4
Bearcroft, G. W., Driller	186	17	0	8	12	8
Burger, A. P., Kaffir Overseer	174	4	6	8	1	0
Boots, W., Truck Fitter	166	13	0	7	14	0
Bodley, W., Carpenter	227	5	0	10	10	0
Bowman, A. K., Driver	198	4	8	8	17	4
Capper, A. G., Fitter	262	12	0	11	12	8
Cornes, A., Coppersmith	287	17	0	13	6	0
Carolin, P., Labourer	176	15	0	8	3	4
Coombe, T., Truck Fitter	242	8	0	11	4	0
Cranmer, C., Tinsmith	267	13	0	12	7	4
Crossling, W. P., Turner	262	12	0	12	2	8
Campbell, C. W. C., Truck Fitter	227	5	0	10	0	0
Coetzee, P. C., Painter	242	8	0	11	4	0
Cressell, C. A., Craneman	196	19	0	9	2	0
Collins, P., Examiner	174	4	6	8	1	0
Cordier, J. C., Driver	284	7	11	10	18	2
Cramer, A. C., Clerk	273	15	0	45	15	0
De Carvalho, J. M., Examiner	166	13	0	7	14	0
Davey, W. W., Coachbuilder	282	16	0	13	1	4
Denyven, G. W., Boilermaker	287	17	0	13	6	0
Doran, W.. Fitter	280	5	6	12	19	0
Dockray, W., Blacksmith	287	17	0	13	6	0
De Beer, J., Oiler	60	12	0	2	16	0
De Thian, H., Timekeeper	182	10	0	30	10	0
Emonds, C. W., Examiner	189	7	6	8	15	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
Daily-paid Staff.						
1904–5—*cont.*						
EASTES, R., White Metaller	234	16	6	10	17	0
EVANS, W., Painter	207	1	0	9	11	4
EAGER, A. W., Carpenter	232	6	0	10	14	8
ELLIOTT, A. H., Timekeeper	237	5	0	19	10	0
FRATER, W. T., Fitter	166	13	0	7	14	0
FLEMING, W., Blacksmith	287	17	0	13	6	0
FELIX, C., Chargeman	338	7	0	15	12	8
GRANGER, A., Lifter	166	13	0	7	14	0
GARRETT, C. F., Coppersmith	287	17	0	13	6	0
GOULD, T. G., Coppersmith	217	3	0	10	0	8
GRAHAM, F., Painter	287	17	0	13	6	0
GALE, G. P., Wagon Fitter	227	5	0	10	10	0
GATES, W., Coachbuilder	282	16	0	13	1	4
GALT, R. J., Pump Fitter	282	16	0	13	1	4
GLASS, W. F., Fireman	234	4	2	8	19	8
GILLESPIE, T., Boilermaker	282	16	0	13	1	4
HONMAN, J. R., Wireman	242	8	0	11	14	0
HADFIELD, F., Fitter	247	13	0	11	8	8
HILLARY, E. J., Coachbuilder	282	16	0	13	1	4
HUTCHINSON, E. T., Carpenter	282	16	0	13	1	4
HUGHES, A. W., Labourer	176	15	0	8	3	4
HEAP, S., Fitter	247	13	0	11	8	8
HARDING, J., Boilermaker	247	13	0	11	8	8
HAMPTON, J. J., Turner	247	13	0	11	8	8
HARRIS, F. J., Patternmaker	262	12	0	12	2	8
HOLMES, J., Turner	287	17	0	13	6	0
HEROLD, H. O., Fitter	277	15	0	12	16	8
HERHOLDT, A. S., Truck Fitter	196	19	0	9	2	0
HESSELS, J., Coalman	200	15	0	7	14	0
HILL, J., Messenger	85	0	0	12	4	0
JACOBS, D. A., Fireman	166	13	0	7	14	0
JACOBS, M. J., Fireman	166	13	0	7	14	0
JONES, F., Coachbuilder	282	16	0	13	1	4
JAMES, C. E., Fitter	287	17	0	13	6	0
KRUGER, C. J., Labourer	143	18	6	6	13	0
KENDALL, D. M., Millwright	267	13	0	12	7	4
KELL, A., Machinist	272	14	0	12	12	0
KRUGER, H. J., Apprentice	50	10	0	2	6	8
KETH, A. J., Fireman	265	14	5	9	13	8
LECUONA, A., Millwright	272	14	0	12	12	0
LESLIE, W. A., Machinist	287	17	0	13	6	0
LISCH, G., Painter	257	11	0	11	18	0
LAWSON, J., Coachbuilder	277	15	0	12	16	8
LAWES, A., Labourer	166	13	0	7	14	0
LEACH, T., Patternmaker	282	16	0	13	1	4
LAWLESS, P., Truck Fitter	227	5	0	10	0	0
MCCAULAY, J., Wireman	242	8	0	11	4	0
MCMENAIVIN, J. J., Labourer	166	13	0	7	14	0
MCGREGOR, H., Tinsmith	247	13	0	11	8	8
MAXWELL, J., Millwright	257	11	0	11	18	0
MCNEIL, C. T., Coachbuilder	257	11	0	11	18	0
MURRAY, W., Truck Fitter	207	1	0	9	11	4
MCDADE, A. W., Boilermaker	267	13	0	12	7	4
MILLAR, T. V., Machinist	262	12	0	12	2	8
MENIGGI, G., Fitter	267	13	0	12	7	4
MCGARR, A. E., Fitter	287	17	0	13	6	0
MITCHELL, C. A., Blacksmith	257	11	0	11	18	0
NICOSA, N., Millwright	267	13	0	12	7	4
NICOSIA, P., Painter	275	4	6	12	14	4
NICOSIA, C., Painter	265	2	6	12	5	0
OPPERMANN, C. A., Fireman	189	7	6	8	15	0
ORMSBY, J., Tinsmith	282	16	0	13	1	4
OZIOULS, J., Painter	277	15	0	12	16	8

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	s.	d.	£	s.	d.
Daily-paid Staff.						
1904–5—*cont.*						
Ormiston, A., Examiner	181	16	0	8	8	0
O'Keefe, J., Storeman	211	5	6	9	2	0
Partridge, F. W., Fireman	181	16	0	8	8	0
Pretorius, H. P., Examiner	181	16	0	8	8	0
Pascoe, E. H., Lifter	227	5	0	10	10	0
Pearson, A., Fitter	242	8	0	11	4	0
Parkinson, W. R., Fitter	267	13	0	12	7	4
Povey, T. C., Improver	212	16	0	9	16	0
Purcell, G., Truck Fitter	207	1	0	9	11	4
Phillis, J., Examiner	204	10	6	9	9	0
Purfitt, H., Examiner	174	4	6	8	1	0
Richards, F. W., Truck Fitter	207	1	0	9	11	4
Ritchie, G. B., Machinist	227	5	0	10	10	0
Radford, P. W., Painter	247	13	0	11	8	8
Reid, A., Call-boy	63	17	6	2	9	0
Ross, R. B., Timekeeper	246	7	6	9	9	0
Sales, H., Wireman	242	8	0	11	4	0
Sheriffs, H. D., Driller	227	5	0	10	10	0
Stead, W. H., Machinist	267	13	0	12	7	4
Silverstone, M., Carpenter	272	14	0	12	12	0
Stobie, G., Painter	242	8	0	11	4	0
Stone, G., Wagon Fitter	227	5	0	10	10	0
Sinerkovitz, L., Wagon Fitter	252	10	0	11	13	4
Stott, T. M., Machinist	207	1	0	9	11	4
Souman, A. J., Wagon Fitter	227	5	0	10	10	0
Sada, A., Apprentice	60	12	0	2	16	0
Smith, H., Improver	191	18	0	8	17	4
Spurr, F., Storeman	203	3	0	7	14	0
Sutcliffe, J. W., Pumper	226	2	6	8	15	0
Sheriffs, L. E., Storeman	219	0	0	8	8	0
Shaw, H. P., Wireman	256	5	9	11	16	10
Tabrim, J. C., Pump Fitter	267	13	0	12	7	4
Timcke, A., Examiner	166	13	0	7	14	0
Thompson, S. A., Coachbuilder	282	16	0	13	1	4
Thompson, A. T., Coachbuilder	282	16	0	13	1	4
Tromp, C., Painter	186	17	0	8	12	8
Tamblyn, H. E., Turner	287	17	0	13	6	0
Tonkin, C., Bodymaker	282	16	0	13	1	4
Thorman, J., Patternmaker	272	14	0	12	12	0
Tildesley, T. G., Blacksmith	287	17	0	13	6	0
Troy, M. J., Fitter	277	15	0	12	16	8
Viano, V., Wagon Fitter	257	11	0	11	18	0
Vernaoo, A. L., Driller	204	10	6	9	9	0
Wilkes, T., Moulder	287	17	0	13	6	0
Walton, J. H., Moulder	287	17	0	13	6	0
Ward, S., Driver	196	19	0	9	2	0
Walters, A., Fitter	166	13	0	7	14	0
Whitney, J., Painter	257	11	0	11	18	0
Wellman, H. J., Truck Fitter	217	3	0	10	0	8
Watson, R., Truck Fitter	191	18	0	8	17	4
Whittaker, E. S., Fitter	272	14	0	12	12	0
Wharran, J., Carpenter	257	11	0	11	18	0
Watt, A., Carpenter	252	10	0	11	13	4
Westlake, G. F., Brassfinisher	277	15	0	12	16	8
Williams, A., Blacksmith	242	8	0	11	4	0
Walker, H., Truck Fitter	217	3	0	10	0	8
Wright, W. G., Fitter	282	16	0	13	1	4
Total	35,987	10	11	1,716	19	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Cash equivalent for leave actually earned.			Total Compensation, in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.* Daily-paid Staff. 1905–6.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Blagg, J. H., Truck Repairer	252	9	9	...			11	13	4
Hoek, J. J., Timekeeper	292	0	0	8	0	0	8	0	0
Hampson, G., Sub. Coal Inspector	219	13	6	...			10	3	0
Ross, R. V., Storeman	237	5	0	6	10	0	6	10	0
Syne, T., Examiner	175	9	9	...			8	2	2
Van d' Hoff, J. L., Fireman	225	10	0	4	18	0	4	18	0
Watson, J., Fitter	352	15	8	13	10	8	13	10	8
Whitehead, E., Timekeeper	196	19	0	...			9	2	0
Total	1,952	2	8	32	18	8	71	19	2
1906–7.									
Andrews, H., Fireman	193	3	3	4	9	3	13	7	9
Burgoyne, W. H., Fireman	185	11	9	4	5	9	12	17	3
Barnes, R., Fireman	151	10	0	...			7	0	0
Brazzel, M., Fireman	189	7	6	...			8	15	0
Clow, F. W., Fireman	193	3	3	...			8	18	6
Dyer, S., Fireman	193	3	3	4	9	3	13	7	9
De Bruin, N. J., Fireman	237	5	0	9	2	0	18	4	0
Esch, R., Fireman	193	3	3	...			8	18	6
Fry, T. P., Fireman	189	7	6	4	7	6	13	2	6
Foreman, J., Fireman	182	10	0	3	10	0	10	10	0
Greyling, G. F., Fireman	193	3	3	...			8	18	6
Holloway, R. A., Call Boy	60	12	0	...			2	16	0
Harvey, C. O., Examiner	228	2	6	...			8	15	0
Henderson, D., Pumper	237	5	0	...			9	2	0
Hall, W., Storeman	237	5	0	...			9	2	0
Ingram, B. E., Timekeeper	219	0	0	6	0	0	14	8	0
Lowe, J., Fireman	182	10	0	...			7	0	0
Ludewick, W. C., Fireman	182	10	0	7	0	0	14	0	0
Matthews, T. A., Fireman	346	15	0	19	12	0	19	12	0
Mann, F. R., Fireman	185	11	9	...			8	11	6
Mann, D., Fireman	185	11	9	...			8	11	6
Maloney, T., Fireman	185	11	9	4	5	9	12	17	3
Oosthuizen, J. A., Examiner	219	0	0	...			8	8	0
Oosthuizen, J., Fireman	233	11	3	8	11	6	17	3	0
Powell, J. B., Fireman	185	11	9	...			8	11	6
Peterson, H., Fireman	189	7	6	4	7	6	13	2	6
Rickard, A., Fireman	185	11	9	4	5	9	12	17	3
Simpson, W., Fireman	189	7	6	...			8	15	0
Sewell, J., Fireman	189	7	6	...			8	15	0
Swartz, G., Pumper	182	10	0	...			7	0	0
Smit, S. A., Call Boy	60	12	0	...			2	16	0
Tuck, A. R., Pumper	228	2	6	...			8	15	0
Waddell, A. M., Chargeman	333	6	0	...			15	8	0
Wills, C. E., Fireman	237	5	0	...			9	2	0
Wills, E. S., Fireman	255	10	0	9	16	0	19	12	0
Williams, G. W., Fireman	237	5	0	4	11	0	13	13	0
Westall, A., Fireman	185	11	9	...			8	11	6
Total	7,464	2	3	98	13	3	401	4	9

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
Daily-paid Staff.						
1907–8.						
ABEL, W., Fitter	303	0	0	14	0	0
ARCHBOLD, J. E., Fitter	303	0	0	14	0	0
ALEXANDER, G., Coppersmith	303	0	0	14	0	0
BONNING, J. C., Rivetter	268	10	4	12	7	4
BORTHWICK, W., Coppersmith	303	0	0	14	0	0
BURNAND, L. H., Rivetter	272	14	0	12	12	0
CARSON, A., Truck Fitter	288	16	0	13	6	0
CARPENTER, C. N., Driller	202	13	4	9	6	8
CLARK, G., Fitter	303	0	0	14	0	0
CLARK, R., Driller	212	16	0	9	16	0
CHAPMAN, J., Labourer	192	10	8	8	17	4
DICKSON, A., Rivetter	269	9	4	12	2	8
DEXTER, A. J., Shunter	202	13	4	9	6	8
DERMAN, G. A., Truck Fitter	293	17	4	13	10	8
DOXEY, W. J., Painter	303	0	0	14	0	0
ELKINGTON, S. G., Carpenter	303	0	0	14	0	0
FERGUSON, C. H., Labourer	192	10	8	8	17	4
FOUCHE, A. J., Chargemen's Helper	212	16	0	9	16	0
FRASER, R. M., Carpenter	303	0	0	14	0	0
GOMLAY, W., Carpenter	303	0	0	14	0	0
GRADIDGE, H. M., Labourer	192	10	8	8	17	4
GRACE, J. H., Rivetter	272	14	0	12	12	0
GERARD, G., Carpenter	303	0	0	14	0	0
GRAHAM, J., Truck Fitter	272	14	0	12	12	0
GREENWOOD, H., French Polisher	282	16	0	13	1	4
GARNER, A., Driver	*328	0	0	...		
HAMPTON, J., Truck Fitter	269	9	4	12	2	8
HUDD, E. C., Labourer	192	10	8	8	17	4
HALT, E. C., Carpenter	303	0	0	14	0	0
HURTER, L. A., Labourer	181	16	0	8	8	0
JOHNSTONE, E. B., Brassfinisher	303	0	0	14	0	0
KENDALL, D. M., Truck Fitter	282	16	0	13	1	4
KEWLEY, J., French Polisher	282	16	0	13	1	4
KRUGER, D. A. J., Labourer	181	16	0	8	8	0
KELLY, J. G., Carpenter	272	14	0	12	12	0
KOTTERER, A. C., Carpenter	242	8	0	11	4	0
KENT, W., Brassfinisher	282	16	0	13	1	4
LECUONA, C. M., Truck Fitter	242	8	0	11	4	0
LINTELL, W., Fitter	272	14	0	12	12	0
MITCHELL, J. W., Fitter	282	16	0	13	1	4
MARR, T., Truck Fitter	278	13	4	12	16	8
McNEIL, G., Coppersmith	303	0	0	28	0	0
McCALL, J., Fitter	298	18	8	13	15	4
MACARTHUR, J., Truck Fitter	282	16	0	13	1	4
MACINTOSH, J. C., Driller	202	13	4	9	6	8
MUTER, J., Carpenter	303	0	0	14	0	0
MOORE, J., Carpenter	303	0	0	14	0	0
MOLLISON, W., Carpenter	292	17	3	13	10	8
McKENNAN, W., Carpenter	272	14	0	25	4	0
MURRAY, G. L., Carpenter	272	14	0	12	12	0
McKENZIE, H. J., Carpenter	272	14	0	12	12	0
MILLBURN, T., Painter	222	4	0	10	5	4
MORTON, A. E., Driver	261	6	9	12	1	6
MARTIN, D. A., French Polisher	303	0	0	14	0	0
MARTIN, A. E., Stationary Engine Driver	191	18	0	8	17	4
NICHOLLS, J., Blacksmith	298	18	8	13	15	4
OGILVIE, G., Carpenter	293	17	4	13	10	8
ODGERS, J., Truck Fitter	243	4	0	11	14	0
OSBORNE, C. W., Brassfinisher	297	19	0	13	15	4
OUDHOFF, H., French Polisher	282	16	0	13	1	4
PELLA, A., Rivetter	273	14	8	11	13	4
PETERS, C. S., Labourer	181	16	0	8	8	0
PETT, M., Fitter	282	16	0	13	1	4
PHILLIPS, D. A., Truck Fitter	243	4	0	11	4	0
PASCOE, E. H., Truck Fitter	243	4	0	11	4	0

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* Pension awarded of £38 6*s.* 2*d.* per annum.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—TRANSVAAL—LOCOMOTIVE DEPARTMENT—*cont.*	£	*s.*	*d.*	£	*s.*	*d.*
Daily-Paid Staff.						
1907–8—*cont.*						
Peters, W. F., Shunter	202	13	4	9	6	8
Pascoe, T., Crane Driver	222	18	8	10	5	4
Paul, A., Carpenter	303	0	0	14	0	0
Parkinson, D., Painter	303	0	0	14	0	0
Patterson, T., Coppersmith	303	0	0	14	0	0
Perry, W. F., Truck Fitter	272	14	0	12	12	0
Pinfold, A. G., French Polisher	282	16	0	13	1	4
Quirk, J. E., Carpenter	272	14	0	12	12	0
Rademeyer, P., Truck Fitter	243	4	0	11	4	0
Ramsay, A., Fitter	293	17	4	13	10	8
Ray, H., French Polisher	282	16	0	13	1	4
Sutherland, W., Rivetter	282	16	0	13	1	4
Sherrard, W., Carpenter	293	17	4	13	10	8
Smith, E., Rivetter	272	14	0	12	12	0
Sarah, H., Truck Fitter	243	4	0	11	4	0
Smith, P., Labourer	191	18	0	8	17	4
Salmon, K. W., Carpenter	272	14	0	12	12	0
Stirling, A., Painter	303	0	0	14	0	0
Seaby, T., Watchman	181	16	0	8	8	0
Stirke, C. E. F., Road Locomotive Foreman	280	5	6	*50	17	6
Tiltman, E., Truck Fitter	278	13	4	12	16	8
Talbot, S. R., Fitter	303	0	0	14	0	0
Tron, P., Fitter	303	0	0	14	0	0
Tencate, I., Carpenter	303	0	0	14	0	0
Van Breemen, S., Painter	242	8	0	11	4	0
Van Niekerk, J. A., Labourer	181	16	0	8	8	0
Wilson, J., Labourer	181	16	0	8	8	0
Whittall, W. T., Fitter	298	18	8	13	15	4
Whysall, W. E., Truck Fitter	293	17	4	13	10	8
Wilks, B., Truck Fitter	282	9	4	12	16	8
Whatley, B., Labourer	192	10	8	8	17	4
Winter, C. S., Fitter	293	17	4	13	10	8
Williams, J., Carpenter	303	0	0	14	0	0
Watt, W., Carpenter	293	17	4	13	10	8
Wiley, E. W., Carpenter	303	0	0	14	0	0
Wright, A., Carpenter	303	0	0	14	0	0
Winter, J., Carpenter	272	14	0	12	12	0
Zambra, L. J., Brassfinisher	282	16	0	13	1	4
	27,502	12	10	1,317	12	4

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* Includes £14 16*s.* 0*d.* gratuity in respect of service, and £11 2*s.* 0*d.* cash equivalent for leave actually earned.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
ENGINEERING DEPT., C.S.A.R.	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*	£	*s.*	*d.*
Salaried Staff.												
1903–4.												
Browne, P., N.C., Topographer	300	0	0	...			41	17	7	41	17	7
Coryell, J. A., N.C., Divisional Engineer.	900	0	0	...			101	5	3	101	5	3
Hodgins, A. E., N.C., Supt. Engineer	1,300	0	0	650	0	0	...			†846	3	5
Jurd, A. A., N.C., Draughtsman	300	0	0	...			27	15	4	27	15	4
Micklem, H. A., Chief Res. Engineer	1,500	0	0	658	6	8	...			658	6	8
Norie, J. L., Works Foreman	312	10	0	...			40	5	2	40	5	2
Prentice, E. S., Sanitary Engineer	747	10	0	62	5	10	...			62	5	10
Ruddell, F. J., Clerk	249	15	0	...			46	11	10	46	11	10
Synge, P. N., N.C. Assistant Engineer	450	0	0	...			54	18	5	‡55	9	11
Taylor, E. G., Inspector of Works	483	0	0	...			64	12	8	64	12	8
Total	...			1,370	12	6	377	6	3	1,944	13	8

† Includes £196 3*s.* 5*d.* railway and steamship fares.
‡ Includes 11*s.* 6*d.* railway fare.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
ENGINEERING DEPARTMENT, C.S.A.R., Salaried Staff—*cont.* 1904–05.				
Bunbury, C. M., N.C., Draughtsman	300 0 0	...	45 0 0	45 0 0
Cockburn, J., N.C., Assistant to Chief Engineer.	1,100 0 0	366 13 4	...	*369 14 9
Davidson, J. A. A., N.C., District Clerk.	345 0 0	...	70 12 10	70 12 10
Dwight, B. C., Clerk	335 6 9	27 18 11	56 5 8	84 4 7
Hall, J. H., Clerk	227 8 0	...	26 10 7	26 10 7
Hornby, J. S., Clerk	204 5 0	17 0 5	...	17 0 5
Hudson, G., N.C., Inspector	360 0 0	...	40 8 0	40 8 0
Keeling, P., Draughtsman	300 0 0	...	73 2 5	73 2 5
Keenor, E. L., Draughtsman ...	362 8 0	...	72 8 0	72 8 0
Learmouth, W. A., Draughtsman ...	314 12 9	..	90 10 0	90 10 0
Murray, A. D., N.C., Surveyor ...	300 0 0	...	45 6 3	45 6 3
Musgrave, H. A. F., Assistant to Chief Resident Engineer.	690 0 0	216 12 0	...	*219 13 5
Norton, E. S., Assistant Engineer ...	462 8 0	77 1 4	...	77 1 4
Simpson, A. W., N.C., Senior Architect Draughtsman.	480 0 0	...	55 9 8	55 9 8
Stalker, J., Draughtsman	272 8 0	...	35 13 0	35 13 0
Storie, E., N.C., Chief Clerk ...	480 0 0	41 1 5	129 16 2	170 17 7
Sutton, C., Clerk	270 0 0	...	41 3 9	41 3 9
Sutton, W., Staff Clerk	379 0 0	63 3 4	...	63 3 4
Wilson, T. H., Works Foreman ...	379 10 0	29 10 3	...	29 10 3
Total	...	839 1 0	782 6 4	1,627 10 2
Daily paid Staff. 1904–05.	Daily pay.			
Bentley, G., Overseer	0 10 0	...	3 10 0	3 10 0
Bentley, T., Labourer	0 4 0	...	1 8 0	1 8 0
Total	...	...	4 18 0	4 18 0

	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
Salaried Staff. 1905-6.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Burke, E. F. W., Clerk ...	300 0 0	...	57 5 2	...	57 5 2
Cunningham, H. B., Tracer ...	265 10 0	...	75 18 10	...	75 18 10
Dorreen, E. J., N.C., Tracer ...	300 0 0	...	52 6 8	...	52 6 8
Dowling, H. R., Clerk... ...	229 10 0	75 0 0	...	...	75 0 0
Foley, J. D., N.C., Assistant Engineer.	600 0 0	...	136 13 4	...	136 13 4
Fyfe, R. L., N.C., Draughtsman	330 0 0	...	76 11 8	1 11 1	78 2 9
Gibbons, J. B., Compound Manager.	360 0 0	30 0 0	115 0 0	...	145 0 0
Harvey, C., Cartage Clerk ...	240 0 0	20 0 0	...	...	20 0 0
Inglis, M. C., Estate Agent ...	920 0 0	153 6 8	...	...	153 6 8
Lavin, M. J., N.C., Clerk ...	345 0 0	...	70 18 4	...	70 18 4
Meyer, A. E., N.C., Clerk ...	300 0 0	...	25 0 0	3 1 5	28 1 5
Rasmussen, H., N.C., Storeholder.	300 0 0	...	45 0 0	...	45 0 0
Renton, C., N.C.. Draughtsman	330 0 0	...	76 12 8	3 7 6	80 0 2
Russell, J., Clerk	364 10 0	30 7 6	182 5 0	...	212 12 6
Wicherlink, Dr., Translator...	480 0 0	160 0 0	...	3 1 5	163 1 5
Total	...	468 14 2	913 11 8	11 1 5	1,393 7 3

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* Includes £3 1*s* 5*d*. railway fare.

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
ENGINEERING DEPARTMENT—*cont.*					
Daily-paid Staff. 1905-06.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Fratter, W., Ganger	0 13 0	3 18 0	...	...	3 18 0
Henderson, W., Ganger ...	0 10 6	3 3 0	...	...	3 3 0
Thorne, J., Ganger	0 11 0	3 6 0	...	...	3 6 0
Walsh, A. W., Ganger	0 11 0	3 6 0	...	...	3 6 0
Wessels J. A., Ganger ...	0 10 0	3 0 0	...	...	3 0 0
Woodcock, J., Ganger ...	0 11 6	3 9 0	...	...	3 9 0
Total	...	£20 2 0	...	...	£20 2 0
Salaried Staff. 1906–07.	Salary per Annum at date of Retrenchment.				
Campbell, A. E., Typist ...	180 0 0	15 0 0	34 0 0	...	49 0 0
Carr, J. G., N.C., Clerk ...	300 0 0	...	46 18 9	...	46 18 9
Cooper, A. J., Lineman ...	321 19 0	26 16 7	57 4 9	3 1 5	87 2 9
Courtier, C. W., Lineman ...	262 4 0	21 17 0	108 10 6	...	130 7 6
Crompton, T., Lineman ...	259 0 0	21 11 8	45 6 6	...	66 18 2
De Wildt, M. E., N.C., Divisional Engineer.	900 0 0	75 0 0	255 0 0	...	330 0 0
Ensor, G. E., Chief Mechanician	463 0 0	115 15 0	18 0 1	...	133 15 1
Finlayson, J., N.C., Clerk ...	330 0 0	...	110 7 4	...	110 7 4
Gavin, W. H., N.C., Divisional Engineer.	1,000 0 0	458 6 8	...	93 18 10	552 5 6
Gilchrist, W., N.C., Draughtsman.	525 0 0	...	139 14 4	0 5 9	140 0 1
Gully, P. R., Clerk	232 10 0	...	66 17 6	1 13 3	68 10 9
Hawkins, F. G., N.C., Draughtsman.	300 0 0	25 0 0	29 3 4	1 11 1	55 14 5
Hay, Jas, N.C., Assistant Engineer.	600 0 0	50 0 0	129 0 8	...	179 0 8
Herald, W. O., Clerk	287 0 0	24 11 8	108 2 3	...	132 13 11
Irving, G., Inspector	445 0 0	37 1 8	129 15 10	...	166 17 6
James, C. W., Clerk	317 16 0	...	53 17 0	...	53 17 0
Jurd, A. A., N.C., Draughtsman	300 0 0	...	45 0 0	...	45 0 0
Kirton, Y. D., N.C., Draughtsman.	300 0 0	...	54 0 8	..	54 0 8
Martin, E. R., Lineman ...	279 0 0	10 15 11	102 6 0	2 5 2	115 7 1
Mason, J., Draughtsman ...	348 12 0	29 1 0	100 8 2	1 11 1	131 0 3
McCulloch, A. A., Clerk ...	245 0 0	20 8 4	38 17 2	...	59 5 6
McDonald, A. C., Chief Clerk	378 0 0	31 10 0	104 13 4	...	136 3 4
Mealing, A. M., Chief Inspector	500 0 0	41 13 4	250 0 0	...	291 13 4
Michel, P., Clerk	277 10 0	...	46 5 0	...	46 5 0
Mitchell, R., Foreman of Works	408 0 0	...	159 16 0	...	159 16 0
O'Rorke, C. J., Clerk	304 0 0	25 6 8	147 15 7	...	173 2 3
Parr, W. D., Mechanician ...	367 0 0	30 11 8	138 12 11	...	169 4 7
Purdon, G. R., Clerk	333 0 0	27 15 0	62 13 3	2 5 2	92 13 5
Rigby, A. E. G., Clerk	240 0 0	20 0 0	40 0 0	...	60 0 0
Ross, H., N.C., Masonry Inspector	360 0 0	...	87 13 8	3 7 6	91 1 2
Sim, J. S., N.C., District Clerk	300 0 0	...	125 0 0	3 1 5	128 1 5
Smith, V. R., Clerk	156 0 0	13 0 0	41 3 4	...	54 3 4
Spooner, W. N., Draughtsman	360 0 0	...	91 5 2	3 7 6	97 12 8
Taylor, H. P., N.C., Leveller	450 0 0	...	149 7 1	0 5 9	149 12 10
Warren, C. H., Assistant Engineer.	550 0 0	91 13 4	209 14 7	...	301 7 11
Total	...	1,212 15 6	3,329 10 9	116 13 11	4,659 0 2
Daily Paid Staff. 1906–07.	Daily Pay.				
Cooper, G. W., Storeman ...	0 16 0	...	20 0 0	3 1 5	23 1 5
McIlwane, W. R., Timekeeper	0 14 0	17 10 0	6 6 0	3 7 6	27 3 6
O'Neill, F. V. P., Foreman Platelayer.	0 16 0	...	21 12 0	...	21 12 0
Thompson, C. H., Wireman ...	0 11 0	3 17 0	...	2 5 2	6 2 2
Total	...	21 7 0	47 18 0	8 14 1	77 19 1

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.											
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Railway Fares and Steamship Passages.			Total Compensation		
ENGINEERING DEPARTMENT—SALARIED STAFF. 1907–08.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Bland, E. M., N.C., Assistant Engineer.	600	0	0	121	0	0	211	0	0	...			332	0	0
Bowe, G. T., Works Foreman ...	408	0	0	136	0	0	102	0	0	...			238	0	0
Brazel, D. F., District Clerk ...	308	0	0	102	13	4	77	0	0	6	14	11	186	8	3
Brown, G. H., Works Foreman	381	0	0	127	0	0	60	6	6	...			187	6	6
Cook, B. W., Draughtsman ...	297	0	0	24	15	0	50	19	11	6	2	10	81	17	9
Craig, J., District Engineer ...	650	0	0	162	10	0	37	18	4	3	7	6	203	15	10
Cull, B. C., Clerk	270	0	0	67	10	0	66	0	0	3	2	2	136	12	2
Davison, J. A., Clerk	265	0	0	66	5	0	66	5	0	3	1	5	135	11	5
Ellis, O. H., N.C., Accountant	900	0	0	600	0	0	...			3	1	5	603	1	5
Evans, D. J., N.C., Chief Clerk	600	0	0*	...			...			...			...		
Ferry, C. B., N.C., Assistant Engineer.	500	0	0	...			145	11	1	...			145	11	1
French, F., Clerk	421	0	0	140	10	0	105	7	6	8	8	8	254	6	2
Furse, C. F., N.C., Assistant Engineer.	500	0	0	41	13	4	62	1	11	...			103	15	3
Gildea, J. B., Clerk	285	0	0	95	0	0	71	5	0	...			166	5	0
Greenwood, H. S., Resident Engineer.	1,200	0	0	750	0	0	...			3	2	2	753	2	2
Harvie, W. L., Clerk	322	0	0	107	6	8	49	3	11	0	12	1	157	2	8
Henderson, J. D., Clerk ...	290	0	0	72	10	0	62	16	8	2	6	7	137	13	3
Hope, G., Clerk	252	0	0	84	0	0	44	0	7	...			128	0	7
Hoseason, T. G., Clerk ...	302	0	0	75	10	0	75	10	0	...			151	0	0
Jeff, W. H., N.C., Assistant Engineer.	600	0	0	...			189	2	0	...			189	2	0
Kindness, G., Masonry Inspector.	410	0	0	141	4	5	39	17	3	...			181	1	8
Lamont, A., Clerk	300	0	0	75	0	0	56	13	4	...			131	13	4
Lewis, J., Clerk	296	0	0	74	0	0	74	0	0	...			148	0	0
MacKay, A. S., Clerk	294	0	0	73	10	0	44	2	0	3	7	6	120	19	6
McGregor, J. C., N.C., Accountant.	420	0	0	...			147	0	0	...			147	0	0
McConaghy, R. A., District Engineer.	800	0	0	...			139	15	8	0	11	6	140	7	2
Moodie, T. A., N.C., Architectural Assistant.	900	0	0	75	0	0	600	0	0	6	14	11	†781	14	11
Moodie, W. T., N.C., Assistant Engineer.	390	0	0	32	10	0	76	12	7	...			109	2	7
Osborne, W., N.C., Accountant	420	0	0	35	0	0	153	10	8	3	1	5	191	12	1
Patten, W., N.C., Accountant	420	0	0	35	0	0	142	3	5	9	4	3	186	7	8
Rodgers, B. A., Assistant Engineer.	525	0	0	131	5	0	131	5	0	3	7	6	265	17	6
Smith, J. T., District Clerk ...	500	0	0	358	6	8	125	0	0	...			483	6	8
Smith, J. M. J., District Engineer	650	0	0	162	10	0	162	10	0	4	12	7	329	12	6
Smith, H., Senior Mechanician	330	0	0	110	0	0	82	10	0	...			192	10	0
Squires, W. H., Telegraph Inspector.	400	0	0	133	6	8	100	0	0	...			233	6	8
Stier, H., Permanent Way Inspector.	300	0	0	25	0	0	60	9	8	..			85	9	8
Tonneson, K. O., Assistant Engineer.	500	0	0	83	6	8	125	0	0	...			208	6	8
Tower, W., N.C., Assistant to Chief Engineer.	1,200	0	0	250	0	0	450	0	0	3	1	5	703	1	5
Van Eyssen, F. J., N.C., Clerk	324	0	0	81	0	0	81	0	0	...			162	0	0
Walters, J. H., District Engineer.	525	0	0	175	0	0	131	5	0	6	2	10	312	7	10
Will, J. P., N.C., Assistant Accounting Officer.	500	0	0	41	13	4	205	11	1	3	1	5	250	5	10
Young, J. C., Clerk	407	0	0	135	13	4	101	15	0	1	11	1	238	19	5
Total	...			5,002	9	5	4,706	9	1	84	16	1	9,893	14	7

* Pension awarded of £153 6*s.* 8*d.* per annum.

† Includes £100 Special compensation.

Name (in alphabetical order) and Nature of Appointment.	Daily Pay.	Compensation Granted. Gratuity in respect of Service.	Compensation Granted. Cash equivalent for leave actually earned.	Compensation Granted. Railway Fares and Steamship Passages.	Compensation Granted. Total Compensation.
ENGINEERING DEPARTMENT—DAILY PAID STAFF. 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Abbott, C. W., Chainman	0 8 6	5 19 0	11 8 0	3 7 6	20 14 6
Beaumont, A. E., Treeplanter	0 15 0	4 10 0	7 10 0	...	12 0 0
Bell, C. E. J., N.C.. Inspector	1 0 0	30 0 0	57 0 0	3 1 5	90 1 5
Birss, J., Clerk	0 15 0	10 10 0	7 10 0	3 7 6	21 7 6
Broomhead, J., Ganger	0 11 0	...	10 6 3	...	10 6 3
Burney, J., Ganger	0 10 6	...	21 0 0	...	21 0 0
Douglas, J. H., Ganger	0 11 0	..	3 6 0	...	3 6 0
Evans, D., Ganger	0 11 6	...	11 10 0	...	11 10 0
Francis, W., Ganger	0 11 0	...	4 16 3	...	4 16 3
French, C. J,, N.C., Chainman	0 15 0	...	18 0 0	...	18 0 0
Harper, D., Clerk	0 11 0	83 12 0	...	2 5 2	85 17 2
Hendry, G. E., Typist..	0 13 0	3 2 0	9 5 0	...	12 14 1
James, C. W., Signal Lineman	0 13 6	47 18 6	10 2 6	0 7 1	58 1 0
Jillett, T., N.C., Storeman	0 15 0	18 15 0	...	...	18 15 0
Lawson, R., Plumber	0 19 0	6 13 0	...	...	6 13 0
Learmouth, W. A., N.C., Draughtsman.	1 0 0	12 0 0	....	3 7 6	15 7 6
Mallory, J. L., Timekeeper	0 16 0	...	24 0 0	3 7 6	27 7 6
Miles, E., Plumber	0 19 0	6 13 0	...	...	6 13 0
Pizzey, F. F., Timekeeper	0 15 0	5 5 0	18 15 0	...	24 0 0
Reid, R., Plumber	0 19 0	6 13 0	...	...	6 13 0
Rooke, R. P., Timekeeper	0 16 0	20 16 0	16 0 0	6 14 11	43 10 11
Smyth, J. R., Plumber	0 19 0	6 13 0	...	...	6 13 0
Steyn, J. S. E., Messenger	0 4 6	..	1 7 0	...	1 7 0
Yeates, C., Ganger	0 15 0	...	16 5 6	...	16 5 6
Yeates, A., Ganger	0 10 0	...	15 10 0	...	15 10 0
Total	...	268 19 6	263 11 6	25 18 7	558 9 7

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.	Compensation granted. Gratuity in respect of Service.	Compensation granted. Cash equivalent for leave actually earned.	Compensation granted. Railway Fares and Steamship Passages.	Compensation granted. Compensation in lieu of notice.	Compensation granted. Total Compensation.
CHIEF ACCOUNTANT'S DEPARTMENT.						
Salaried Staff, Transvaal. 1903–04.						
Grant, C. H., Clerk	247 1 0	20 11 9	25 2 11	...	...	45 14 8
Harvey, T., Chief Book-keeper	519 15 0	86 12 6	...	...	...	86 12 6
Sawtell, J., Clerk	256 10 0	...	...	3 1 5	21 7 6	24 8 11
Waller, E. H., Clerk	256 10 0	...	21 7 6	...	...	21 7 6
Wallace, E., Clerk	256 10 0	...	21 7 6	...	...	21 7 6
Zeederberg, J., Clerk	186 0 0	...	...	...	15 10 0	15 10 0
	1,722 6 0	107 4 3	67 17 11	3 1 5	36 17 6	215 1 1
1904–05.						
Anderson, T. J., Clerk	236 5 0	59 1 3	...	3 1 5	...	62 2 8
Abel, A. H., Clerk	294 6 0	...	34 6 9	1 11 1	24 10 6	60 8 4
Anderton, A. W., Clerk	120 0 0	...	11 0 0	...	...	11 0 0
Bainbridge, W., Clerk	294 6 0	...	...	...	24 10 6	24 10 6
Burke, D., Clerk	247 1 0	...	25 6 4	1 11 1	20 11 9	47 9 2
Boyes, W. M., Clerk	251 2 0	...	55 15 11	3 1 5	20 18 6	79 15 10
Berrett, W., Clerk	247 1 0	...	41 3 6	...	20 11 9	61 15 3
Cody, R. T., Clerk	305 2 0	...	58 4 7	...	25 8 6	83 13 1
Carroll, J. D., Clerk	256 10 0	...	21 7 6	3 1 5	21 7 6	45 16 5
Carroll, J. V., Clerk	328 1 0	...	35 10 9	...	27 6 9	62 17 6
Campbell, J. A., Audit Inspector	496 16 0	...	...	...	41 8 0	41 8 0
Clark, O., Clerk	96 0 0	...	...	...	8 0 0	8 0 0
Connell, C. W., Clerk	337 10 0	...	141 10 8	...	28 2 6	169 13 2
Coote, W., Clerk	226 16 0	...	23 19 0	...	18 18 0	42 17 0
Duggan, F. J., Paymaster	463 10 0	193 2 6	...	6 2 10	38 12 6	237 17 10
Elkington, C. W., Chief Accountant.	1,500 0 0	750 0 0	750 0 0	...	...	1,500 0 0
Flynn, L. J., Clerk	226 16 0	...	...	...	18 18 0	18 18 0
Fitzgerald, O. E., Clerk	230 17 0	...	32 5 5	...	...	32 5 5
Goss, R. G., Clerk	280 16 0	...	46 16 0	1 11 1	...	48 7 1

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of notice.	Total Compensation.
CHIEF ACCOUNTANT'S DEPARTMENT—*cont.*						
Salaried Staff, Transvaal. 1904–05—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s d.	£ s. d.	£ s. d
Goodison, H., Clerk	321 10 9	26 15 10	...	...	26 15 10	53 11 8
Gatward, G. W., Clerk	247 1 0	...	33 4 1	...	...	33 4 1
Hillyard, A., Clerk	335 1 0	...	88 6 2	...	27 17 5	116 3 7
Hicklin, H., Clerk	210 12 0	...	30 8 5	...	...	30 8 5
Heinekey, G., Clerk	162 0 0	...	20 0 8	...	...	20 0 8
Jones, O., Clerk	231 16 9	9 13 3	...	...	...	9 13 3
Koetze, C. A. H., Clerk	318 12 0	42 2 5	...	3 10 6	...	45 12 11
Lakeman, A., Clearing Officer	661 5 0	330 12 6	...	3 1 5	...	333 13 11
Mackay, J. B., Clerk	305 2 0	50 17 0	...	...	...	50 17 0
Magner, M., Clerk	236 5 0	...	19 13 9	3 1 5	...	22 15 2
Moore, J. H., Clerk	226 16 0	...	...	...	18 18 0	18 18 0
Mortimer, C., Clerk	247 1 0	...	48 14 5	3 1 5	20 11 9	72 7 7
McCully, M., Clerk	204 0 0	...	17 0 0	...	17 0 0	34 0 0
Montgomery, J., Clerk	247 1 0	...	49 16 2	...	...	49 16 2
Nisbitt, A., Audit Inspector	458 10 0	...	...	...	38 4 2	38 4 2
Owen, A. G., Clerk	226 16 0	...	28 7 0	...	18 18 0	47 5 0
Orten, P. E., Clerk	226 16 0	...	...	...	18 18 0	18 18 0
Preston, L. M., Clerk	251 2 0	...	41 17 0	...	20 18 6	62 15 6
Rutherford, J., Rev. Auditor	...	...	...	...	*419 3 11	419 3 11
Roberts, A. W., Clerk	226 16 0	...	...	...	18 18 0	18 18 0
Rezin, A. W., Clerk	256 10 0	...	42 15 0	0 5 9	21 7 6	64 8 3
Ramsay, W. J., Clerk	230 17 0	...	16 15 0	...	...	16 15 0
Shaw, G., Clerk	247 1 0	...	..	...	20 11 9	20 11 9
Swales, S. J., Clerk	256 10 0	21 7 6	...	...	...	21 7 6
Smit, G., Clerk	318 12 0	...	138 6 10	...	26 11 0	164 17 10
Smith, F. H., Clerk	305 2 0	...	55 6 2	...	25 8 6	80 14 8
Schuler, J. E., Clerk	209 5 0	...	52 6 3	...	...	52 6 3
Soppitt, H., Paymaster	300 16 9	...	50 2 10	...	...	50 2 10
Thom, R. M., Assistant Chief Accountant.	1,035 0 0	519 18 0	...	...	...	519 18 0
Turner, J. H., Clerk	280 16 0	...	64 7 0	3 1 5	...	67 8 5
Watson, J., Clerk	280 16 0	...	55 1 11	...	23 8 0	78 9 11
Ward, J. C., Paymaster	375 6 0	31 5 6	...	...	...	31 5 6
Whyte, H. A., Clerk	226 16 0	...	...	3 1 5	18 18 0	21 19 5
Willmott, E., Clerk	318 15 0	...	80 11 6	3 1 5	26 11 3	110 4 2
Waterhouse, F., Clerk	226 16 0	...	20 2 5	3 1 5	...	23 3 10
Warburton, W., Clerk	236 5 0	...	42 11 1	...	...	42 11 1
	16,888 2 3	2,034 15 9	2,273 0 1	45 6 6	1,148 4 4	5,501 6 8
1905–06.						
Cable, W. R., Clerk	314 11 0	26 4 3	...	3 1 5	...	29 5 8
Child, W. G., Clerk	240 0 0	...	13 11 0	7 13 7	20 0 0	41 4 7
Dutton, C. J., Clerk	247 1 0	...	60 8 5	...	20 11 8	81 0 1
de Vries, J., Clerk	240 0 0	...	...	...	20 0 0	20 0 0
Heron, J., Clerk	219 0 0	...	16 9 8	3 1 5	18 5 0	37 16 1
James, J., Clerk	256 10 0	...	68 19 0	...	21 7 6	90 6 6
Keed, H., Clerk	247 1 0	...	53 15 9	1 11 1	20 11 9	75 18 7
Palmer, T. H. N., Clerk	305 8 0	12 6 2	...	3 1 5	...	15 7 7
Plumridge, H., Clerk	258 0 0	...	...	...	21 10 0	21 10 0
Rutherford, A., Clerk	261 0 0	...	...	...	22 0 0	22 0 0
Ross, T. T., Clerk	240 0 0	...	18 14 2	3 1 5	20 0 0	41 15 7
Thompson, J., Clerk	226 16 0	...	40 17 0	3 1 5	18 18 0	62 16 5
£	3,058 7 0	38 10 5	272 15 0	24 11 9	203 3 11	539 1 1
1906–07.						
Bryce, J. J., Clerk	278 0 0	...	...	...	23 3 4	23 3 4
Denyer, C., Clerk	182 5 0	...	55 17 0	...	15 3 9	71 0 9
Jones, G. O., Clerk	240 0 0	...	20 0 0	3 7 6	20 0 0	43 7 6
McLean, D., Clerk	240 0 0	...	50 6 6	...	...	50 6 6
Mould, E. C., Clerk	240 0 0	...	25 16 1	3 7 6	...	29 3 7
Mulder, M., Clerk	306 0 0	...	69 1 11	...	25 10 0	94 11 11
Palmer, H., Cashier	457 7 0	114 6 9	114 6 9	0 5 9	...	228 19 3
Reynolds, E., Clerk	245 0 0	...	49 7 11	3 7 6	20 8 4	73 3 9
Shepherd, D. A., Clerk	240 0 0	...	...	6 15 0	20 0 0	26 15 0
Wren, T., Clerk	247 1 0	...	69 6 2	...	20 11 9	89 17 11
£	2,675 13 0	114 6 9	454 2 4	17 3 3	144 17 2	730 9 6

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* Gratuity as a contributor to Cape pension funds.

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of notice.	Total Compensation.
CHIEF ACCOUNTANT'S DEPARTMENT—*cont.* *Salaried Staff, Transvaal—cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1907–08.						
Barrie, W. T., Chief Clearing Clerk.	480 0 0	40 0 0	25 6 8	3 7 6	...	68 14 2
Beard, W. A., Clerk	285 0 0	...	...	3 1 5	23 15 0	26 16 5
Bennett, O. G., Clerk	165 0 0	41 5 0	41 5 0	3 7 6	13 15 0	99 12 6
Bowren, H., Clerk	272 0 0	45 6 8	68 0 0	3 1 5	22 13 4	139 1 5
Boyton, T. E., Paymaster ...	414 16 9	414 16 9	...	6 15 0	34 11 5	456 3 2
Carney, A. H., Clerk	308 14 0	77 3 6	77 3 6	3 1 5	25 14 6	183 2 11
Carter, E. J., Paymaster ...	351 2 0	87 15 6	55 13 8	...	29 5 2	172 14 4
Deacon, A. J., Clerk	267 0 0	44 10 0	66 15 0	3 1 5	22 5 0	136 11 5
Dyson, E., Clerk	262 1 0	43 13 6	65 10 3	...	21 16 9	131 0 6
England, Miss, Lady Clerk ...	150 0 0	...	...	...	12 10 0	12 10 0
Hancox, W., Clerk	297 18 0	148 19 0	...	3 1 5	24 16 6	176 16 11
Joy, G. M., Clerk	160 0 0	26 13 4	40 0 0	3 1 5	13 6 8	83 1 5
Kernick, G., Clerk	120 0 0	10 0 0	24 3 11	...	10 0 0	44 3 11
McKenzie, A., Examiner of Accounts.	375 0 0	187 10 0	...	3 7 6	31 5 0	222 2 6
McDonald, **Denis**, Clerk ...	306 0 0	25 10 0	52 12 11	3 1 5	25 10 0	106 14 4
Mends, A., Clerk	420 0 0	105 0 0	12 1 6	3 7 6	54 16 8	175 5 8
Myles, **Wm.**, Clerk	240 0 0	20 0 0	60 0 0	...	20 0 0	100 0 0
Owen, A. E., Clerk	281 0 0	46 16 8	70 5 0	3 7 6	23 8 4	143 17 6
Oxenham, Miss, Lady Clerk ...	150 0 0	...	...	...	12 10 0	12 10 0
Reeves, H. T., Clerk	285 0 0	47 10 0	71 5 0	3 7 6	23 15 0	145 17 6
Ridge, J. L., Clerk	240 0 0	20 0 0	22 11 7	3 1 5	...	45 13 0
Robinson, G., Clerk	242 0 0	20 3 4	7 13 0	6 15 0	20 3 4	54 14 8
Saunders, C. R., Clerk	252 0 0	...	...	3 1 5	21 0 0	24 1 5
Titcombe, H., Clerk	336 0 0	56 0 0	84 0 0	...	28 0 0	168 0 0
Wayt, W. J., Clerk	351 2 0	351 2 0	...	6 15 0	29 5 2	387 2 2
Weston, F., Clerk	276 0 0	23 0 0	52 13 6	6 15 0	23 0 0	105 8 6
TOTAL	7,287 13 9	1,882 15 3	897 0 6	74 17 9	567 2 10	3,421 16 4

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.	Compensation Granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
CHIEF ACCOUNTANT'S DEPARTMENT. *Daily Paid Staff, Transvaal.* 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Mante, F., Number Taker	0 11 8	52 18 0	...	52 18 0
	...	52 18 0	...	52 18 0
NATIVE LABOUR DEPARTMENT.	Salary per Annum at date of Retrenchment.			
1905–06.				
Coates, L., Inspector	300 0 0	...	93 9 8	93 9 8
Gibbons, J. B., Inspector	360 0 0	30 0 0	115 0 0	145 0 0
Harvey, C., Assistant Compound Manager.	240 0 0	20 0 0	...	20 0 0
	900 0 0	50 0 0	208 9 8	258 9 8
1906–07.				
Abbott, H., Clerk	210 0 0	20 10 0	79 19 0	100 9 0
	210 0 0	20 10 0	79 19 0	100 9 0
1907–08.				
De Beer, J. H., Pass Inspector ...	300 0 0	138 0 0	103 10 0	241 10 0
Hinds, A. C., Compound Manager ...	252 0 0	...	29 12 1	29 12 1
Robertson, A. H., Clerk	186 0 0	64 10 0	64 10 0	129 0 0
	738 0 0	202 10 0	197 12 1	400 2 1

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.			Compensation Granted.											
				Cash equivalent for leave actually earned.			Railway Fares and Steamship Passages.			Compensation in lieu of notice.			Total Compensation.		
C.S.A.R. STORES DEPARTMENT. *Salaried Staff—Transvaal.* 1903–4.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Anderson, E. V., Statistical Clerk.	321	0	0	...			...			26	15	0	26	15	0
Blackhurst, G., Clerk, Grade II.	297	0	0	...			...			24	15	0	24	15	0
Bolt, J., „ „	290	5	0	...			...			24	3	9	24	3	9
Boyton, H. L., „ General	249	15	0	...			...			20	16	3	20	16	3
Brown, G., „ Grade III.	249	15	0	...			5	3	8	20	16	3	25	19	11
Byard, C. P., Storeholder ...	455	8	0	113	7	0	...			37	19	0	151	6	0
Caswell, W. H., Clerk, Grade III.	270	0	0	...			...			33	15	0	33	15	0
Dunstan, S., Clerk, Grade III....	276	15	0	...			...			23	1	3	23	1	3
English, W. P., Clerk, Grade III.	240	0	0	...			...			20	0	0	20	0	0
English, W., Asst. Chief Storekeeper.	800	0	0	200	0	0	5	2	3	...			205	2	3
Hackney, G., Record Clerk . .	338	0	0	...			...			28	3	4	28	3	4
Heath, E. P., Storeman ...	236	5	0	...			...			19	13	9	19	13	9
Hervey, A., Typist	365	14	0	...			...			30	8	6	30	8	6
Hobson, C. P., Timber Clerk ...	243	0	0	...			1	3	2	40	10	0	41	13	2
Ingham, A. E., Clerk, Grade III.	249	15	0	...			...			9	14	0	9	14	0
MacKenzie, C. A., Confidential Clerk.	425	5	0	...			...			35	8	9	35	8	9
Millar, J. H., Analyst	302	12	0	...			...			25	6	0	25	6	0
Patch, E. M., Staff Clerk ..	371	5	0	...			...			30	18	9	30	18	9
Spruce, C. B., Clerk, Grade III.	249	15	0	...			3	11	11	20	16	3	24	8	2
Stanley, S. F. E., Storeman ..	276	15	0	...			...			23	1	3	23	1	3
Stewart, R. W., Storeman ...	256	10	0	...			...			30	11	3	30	11	3
Thompson, W. S. W., Clerk, Grade II.	290	0	0	...			...			22	10	0	22	10	0
Winters, G. H., Buyer	434	14	0	...			...			36	4	6	36	4	6
Woolley, M. A., Checker ...	249	15	0	..			...			20	16	3	20	16	3
£	8,939	3	0	313	7	0	15	1	0	606	4	1	934	12	1
1904–5.															
Arundel, S. J., 1st Stock Clerk	600	0	0	...			3	1	5	...			*153	1	5
Attwell, J. E., Clerk, Grade III.	141	15	0	...			...			12	3	0	12	3	0
Billsland, H., Clerk, Grade II.	270	0	0	...			...			22	10	0	22	10	0
Campbell, T. R., Clerk, Grade II.	270	0	0	...			1	11	1	22	10	0	24	1	1
Delahunt, P., Clerk, Grade III.	249	15	0	...			...			20	16	3	20	16	3
Digby, Miss F., Typist	119	15	0	...			...			16	6	3	16	6	3
Fleury, F. J., Clerk, Grade III.	270	0	0	44	15	0	...			22	10	0	67	5	0
Harrington, F. E., Storeman ...	268	15	0	...			...			22	11	11	22	11	11
Hardy, H., Clerk, Grade III. ...	140	0	0	...			...			11	17	4	11	17	4
Inder, J. H., Clerk, Grade III. ...	249	15	0	...			...			20	16	3	20	16	3
Longernon, M. J., Clerk, Grade III.	256	10	0	42	15	0	3	1	5	21	7	6	67	3	11
Lowrie, W. J., Clerk, Grade III.	144	0	0	...			...			12	0	0	12	0	0
Mark, J. H., Clerk, Grade II. ...	314	12	0	57	13	7	...			...			57	13	7
Malan, F., Storeman	187	16	0	...			...			15	16	0	15	16	0
May, H., Provision Clerk ...	312	18	0	...			3	1	5	150	0	0	153	1	5
McEwan, D., Clerk, Grade II. ...	300	0	0	52	10	0	3	1	5	...			55	11	5
McLaren, C., Clerk, Grade III.	195	15	0	...			...			16	6	3	16	6	3
Meyrick, A. G. W., Clerk, Grade II.	270	0	0	...			..			22	10	0	22	10	0
Middleton, H. J., Clerk, Grade II.	290	5	0	...			...			24	3	9	24	3	9
Morling, W., Clerk, Grade I. . .	432	8	0	181	11	1	...			35	16	8	217	7	9
Newson, H., Clerk, Grade II. ...	240	0	0	...			...			20	0	0	20	0	0
Nugent, G. K., Storeman ...	228	0	0	...			3	1	5	20	5	0	23	6	5
Pallister, F., Clerk, Grade III.	196	16	0	...			3	1	5	16	8	0	19	9	5
Parr, W. B., Timber Superintendent.	402	0	0	98	6	9	3	1	5	34	6	8	135	14	10

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* Includes £150 gratuity in respect of service.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of notice.	Total Compensation.
C.S.A.R. STORES DEPARTMENT. *Salaried Staff—Transvaal—* cont. 1904–5—*cont.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*	£ *s.* *d.*
Pugh, H. V., Clerk, Grade II. ...	240 0 0	...	...	20 0 0	20 0 0
Rasmusson, H., Storeholder ...	300 0 0	...	...	25 0 0	25 0 0
Shalders, W. A., Clerk, Grade II.	364 10 0	...	...	30 7 6	30 7 6
Stollard, F. E. S., Clerk, Grade III.	276 15 0	...	...	23 1 3	23 1 3
Thompson, W. T. W., Clerk, Grade II.	290 0 0	...	...	22 10 0	22 10 0
Total	7,822 0 0	477 11 5	23 1 0	681 19 7	1,332 12 0
1905–6.					
Alymer, C. B., Clerk, Grade III.	270 0 0	63 15 0	...	22 10 0	86 5 0
Boucaut, M. A., Clerk, Grade II.	300 0 0	65 0 0	3 1 5	25 0 0	93 1 5
Brown, W. B., Clerk, Grade III.	270 0 0	131 5 0	3 7 6	22 10 0	157 2 6
Burton, F. C., Clerk, Grade II.	351 0 0	148 4 0	...	29 5 0	177 9 0
Charlesworth, J. R., Clerk, Grade III.	270 0 0	73 10 10	...	22 10 0	96 0 10
D'Arcy, E. F., Clerk, Grade I. ...	434 14 0	141 5 6	13 3 1	36 4 6	190 13 1
De Beer, E. G., Clerk, Grade III.	144 0 0	52 5 2	...	12 0 0	64 5 2
Kaufman, H., Clerk, Grade II.	300 0 0	86 13 4	...	25 0 0	111 13 4
Layman, T. H., Clerk, Grade III.	270 0 0	...	...	22 10 0	22 10 0
Newman, H. J., Clerk, Grade II.	390 0 0	126 15 0	6 2 10	32 10 0	165 7 10
Pickburn, W. H., Assistant Chief Railway Storekeeper.	1,200 0 0	...	...	...	1,200 0 0*
Shaw, D. R. W., Clerk, Grade II.	335 6 0	27 18 11	...	27 18 11	55 17 10
Smith, R. G., Clerk, Grade II. ...	283 10 0	78 15 0	...	23 12 6	102 7 5
Thomas, G., Yard Superintendent	571 16 0	283 10 0	3 1 5	†189 0 0	475 11 5
Williamson, A. S., Clerk, Grade I.	600 0 0	156 13 4	...	50 0 0	206 13 4
	5,990 6 0	1,435 11 1	28 16 3	540 10 11	3,204 18 3
1906–7.					
Beall, P. A., Storeman	265 4 0	77 4 0	3 1 5	22 2 0	102 7 5
Cussans, Mrs. M., Typist ...	240 0 0	...	...	20 0 0	20 0 0
Gilding, H. G., Clerk, Grade II.	350 0 0	84 11 8	0 4 7	29 3 4	113 19 7
Gilham, C. R., Clerk, Grade II.	319 4 0	53 0 0	1 2 6	26 10 0	80 12 6
Gumphrey, H. R., Clerk, Grade II.	282 0 0	84 18 1	6 15 0	23 10 0	115 3 1
MacDonald, A., Yard Superintendent.	330 0 0	128 6 8	...	27 10 0	155 16 8
Oliver, J. P., Storeman ...	307 4 0	104 11 4	...	25 6 0	129 17 4
Saunders, W. H. E., Storeman	273 0 0	75 14 11	2 11 10	22 10 0	100 16 9
Solomon, H., Clerk, Grade III.	144 0 0	17 4 0	3 7 6	12 0 0	32 11 6
Watson, C. H. M., Clerk, Grade II.	300 12 0	86 12 6	...	24 15 0	111 7 6
	2,811 4 0	712 3 2	17 2 10	233 6 4	962 12 4
1907–8.					
Abbott, W. D'A., Railway Storekeeper.	764 16 0	190 0 0	7 0 6	...	‡197 0 6
Cantrell, C. T., Storeman ...	270 0 0	...	...	22 10 0	§122 13 3
Curnow, W. H., Clerk, Grade II.	291 0 0	2 8 6	3 7 6	24 5 0	30 1 0
Carried forward ...	1,325 16 0	192 8 6	10 8 0	46 15 0	349 14 9

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* Gratuity in respect of service.

† Special.

‡ Pension of £310 15*s.* per annum awarded.

§ Includes £100 3*s.* 3*d.* gratuity in respect of service.

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of retrenchment.	Compensation Granted.				
		Gratuity in respect of service.	Cash equivalent for leave actually earned.	Railway fares and steamship passages.	Compensation amount in lieu of notice.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Forward ...	1,325 16 0	100 3 3	192 8 6	10 8 0	46 15 0	349 14 9
C.S.A.R. STORES DEPARTMENT.						
Salaried Staff—Transvaal.						
1907–8.						
Gentleman, W. H., Clerk, Grade II.	372 0 0	120 18 0	34 2 0	3 1 5	31 0 0	189 1 5
McErval, A., Clerk, Grade II. ...	330 0 0	27 10 0	75 3 4	8 8 9	27 10 0	138 12 1
Spearpoint, W. E., Clerk, Grade II.	309 0 0	...	51 10 0	...	...	51 10 0*
Southam, Miss M., Typist ...	188 0 0	...	13 17 2	...	15 8 0	29 5 2
	2,524 16 0	248 11 3	367 1 0	21 18 2	120 13 0	758 3 5
Daily Paid Staff—Transvaal.						
1903–4.						
Anderson, R. L., Clerk	260 16 0	...	...	...	22 0 0	22 0 0
Anthony, S., Clerk	240 0 0	...	...	...	20 0 0	20 0 0
Caldicott, J. U., Clerk	229 10 0	...	...	3 1 5	12 14 5	15 15 10
Carlin, G. L., Clerk	229 10 0	...	...	8 4 2	19 8 3	27 12 5
Corbitt, W., Storeman	219 2 0	...	8 8 0	...	...	8 8 0
Cloete, F. F., Clerk	260 16 0	...	...	...	21 16 0	21 16 0
Gilmour, E. H., Storeman ...	229 0 0	...	...	...	19 10 0	19 10 0
Kempthorne, M. O., Clerk ...	313 0 0	...	...	...	26 1 8	26 1 8
Tweedie, L. B., Clerk	229 0 0	...	...	...	19 10 0	19 10 0
Total	2,210 14 0	...	8 8 0	11 5 7	161 0 4	180 13 11
1904–5.						
Carman, F. D., Clerk	229 10 0	...	...	...	10 1 10	10 1 10
Cox, E., Storeman	190 8 0	...	...	...	14 17 0	14 17 0
Leggatt, J. S., Clerk	245 13 0	...	...	...	21 1 0	21 1 0
Malan, G., Ganger	195 12 0	...	13 2 6	...	...	13 2 6
Manley, F. H., Clerk	240 0 0	...	40 0 0	...	20 0 0	60 0 0
Pienaar, A. J., Ganger	156 10 0	...	7 0 0	...	...	7 0 0
Ward, C. A., Clerk	260 16 0	...	...	3 1 5	11 4 0	14 5 5
White, A. V., Clerk	229 10 0	...	...	...	19 10 0	19 10 0
Total	1,747 19 0	...	60 2 6	3 1 5	96 13 10	159 17 9
1905–6.						
Abbott, J. C. P., Clerk	228 13 4	...	...	...	10 5 4	10 5 4
Aggex, J., Storeman	219 2 0	...	...	17 1	...	17 1
Fuchs, A., Storeman	172 3 0	...	...	...	11 0 0	11 0 0
Gillespie, J., Storeman... ...	125 4 0	...	...	...	5 12 0	5 12 0
Hallis, G., Storeman	172 3 0	...	...	...	9 2 0	9 2 0
James, T., Clerk	228 13 4	...	...	...	10 5 4	10 5 4
Joubert, F., Clerk	125 4 0	...	...	...	10 12 0	10 12 0
Lloyd, J. E., Storeman	219 2 0	...	7 0 0	5 12 11	...	12 12 11
Lovemore, F. C., Storeman ...	156 10 0	...	...	...	12 4 0	12 4 0
McInery, J., Ganger	140 17 0	...	...	...	11 18 0	11 18 0
Miller, W. S., Storeman ...	219 2 0	...	...	...	9 16 0	9 16 0
Ward, F., Storeman	158 10 0	...	6 0 0	...	13 0 0	19 0 0
Total	2,165 3 8	...	13 0 0	6 10 0	103 14 8	123 4 8
1906–7.						
Davies, J., Storeman	219 12 0	...	9 16 0	...	11 18 0	21 4 0
Total	219 12 0	...	9 16 0	...	11 18 0	21 4 0
1907–8.						
Anstruther, H. J. E., Clerk ...	234 15 0	10 0 0	...	6 15 0	10 10 0	27 5 0
Brodie, W. J., Storeman ...	234 15 0	16 10 0	...	...	10 10 0	27 0 0
Corbitt, W., Storeman	219 2 0	3 10 0	...	...	9 16 0	13 6 0
Davies, J., Storeman	219 2 0	3 10 0	...	...	9 16 0	13 6 0
Finnie, J., Watchman	203 19 0	26 0 0	...	...	9 2 0	35 2 0
Harrison, R., Messenger ...	46 19 0	...	...	...	2 2 0	2 2 0
Morgan, J., Storeman	234 15 0	2 5 0	...	3 1 5	10 10 0	15 16 5
Total	1,393 7 0	61 15 0	...	9 16 5	62 6 0	133 17 5

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* Pension of £55 12*s.* 4*d.* per annum awarded.

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
C.S.A.R. SANITARY DEPARTMENT.					
Salaried Staff (Transvaal):					
Period 1st *July*, 1903, *to* 30*th June*, 1907—*Nil.*					
Period 1st *July*, 1907, *to* 30*th June*, 1908.					
HERINGTON, F., Clerk	339 0 0	56 10 0	84 15 0	28 5 0	169 10 0
HALL, P. B., Sanitary Inspector..	298 0 0	49 13 4	74 10 0	24 16 8	149 0 0
HOLMES, R., Sanitary Inspector..	255 0 0	42 10 0	—	21 5 0	63 15 0
MAHON, G., Sanitary Inspector...	297 0 0	49 10 0	74 5 0	24 15 0	148 10 0
RUSSELL, W. A., Sanitary Inspector.	348 0 0	87 0 0	87 0 0	29 0 0	203 0 0
TOTALS	—	285 3 4	320 10 0	128 1 8	733 15 0
SICK FUND DEPARTMENT.					
Salaried Staff (Transvaal):					
Period 1st *July*, 1903, *to* 30*th June*, 1906—Nil.					
Period 1st *July*, 1906, *to* 30*th June*, 1907.					
HERBERT, G. N., Typist ...	250 0 0	—	42 16 11	—	—
Period 1st *July*, 1907, *to* 30*th June*, 1908—Nil.					

No. 11.

The GOVERNOR OF THE TRANSVAAL to the SECRETARY OF STATE.

(Received 17 October, 1908.)

My Lord, Government House, Pretoria, 28th September, 1908.

With reference to my despatch of the 21st September,* I have the honour to transmit to you the accompanying copy of a minute from Ministers enclosing a monthly summary of the number of officers, non-commissioned officers, and men retrenched from the South African Constabulary in the Transvaal within the period from the 1st May, 1906, to the 30th June, 1908.

2. With regard to the second paragraph of Ministers' minute, I would observe that, as your Lordship is, of course, aware, the numbers of the South African Constabulary had been very greatly reduced before May, 1906, but that that had been done by allowing men to leave the force without filling up their places. It is the compulsory retrenchment of individuals that dates from the 1st May, 1906.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 11.

Ministers to Governor.

(Minute. No. 566.)

Prime Minister's Office, Pretoria, 24 September, 1908.

With reference to their Minute, No. 555, of the 17th September, 1908, Ministers have the honour to forward herewith, for transmission to the Right Honourable the Secretary of State for the Colonies, in accordance with the request contained in his telegram, No. 1, of the 1st idem,† six copies of a monthly summary of the number of officers, non-commissioned officers and men retrenched from the South African Constabulary in the Transvaal within the period 1st of May, 1906, to the 30th of June, 1908.

In this connection Ministers would state, for the information of the Secretary of State, that no retrenchments were effected in the force between the 1st of July, 1903, and the 30th of April, 1906.

J. C. Smuts.

Numbers of Officers, Non-Commissioned Officers and Men Retrenched from the South African Constabulary in the Transvaal within the Period 1st May, 1906, to 30th June, 1908.

Month.	Officers.	Non-Commissioned Officers and Men.	Total.
1906.			
May	1	Nil	
June	41	7	
July	Nil	559	
August	Nil	6	
September	2	Nil	
December	1	Nil	
Totals 1906	45	572	617
1907.			
February	2	Nil	
March	2	Nil	
April	1	Nil	
May	3	Nil	
June	2	Nil	
July	2	Nil	
August	2	Nil	
September	2	17	
October	2	109	
November	5	107	
December	15	40	
Totals 1907	38	273	311

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* No. 10.

† No. 5.

Month.	Officers.	Non-Commissioned Officers and Men.	Totals.
1908.			
January	7	241	
February	2	33	
March	3	13	
April	Nil	23	
May	Nil	16	
June	38	79	
Totals 1908	50	404	454
GRAND TOTAL	...	...	1,382

No. 12.

THE ADMINISTRATOR OF THE ORANGE RIVER COLONY to THE SECRETARY OF STATE.

(Received 17 October, 1908.)

Governor's Office, Bloemfontein,
Orange River Colony, 28th September, 1908.

MY LORD,

I HAVE the honour to transmit a copy of a minute from my Ministers, covering returns showing (*a*) the officials retrenched from the Orange River Colony staff of the Central South African Railways for the period 1st July, 1903, to 30th June, 1908; (*b*) officials retrenched from the Orange River Colony Division of the South African Constabulary during the period 1st July, 1903, to 30th June, 1908; and (*c*) the officials retrenched from the Orange River Colony Civil Service during the period 1st January, 1903, to the 30th June, 1908.

I have, &c.,
R. B. ALLASON,
Administrator.

Enclosure in No. 12.

(Minute. No. 1284.)

MINISTERS to GOVERNOR.

Prime Minister's Office, Bloemfontein.
Orange River Colony, 28th September, 1908.

MINISTERS have the honour to forward herewith returns showing:—

(*a*) The officials retrenched from the Central South African Railways, Orange River Colony staff, for the period 1st July, 1903, to 30th June, 1908.

(*b*) The officials retrenched from the South African Constabulary (Orange River Colony Division) for the period 1st January, 1903, to 30th June, 1908.

(*c*) The officials retrenched from the Orange River Colony Civil Service for the period 1st January, 1903, to 30th June, 1908.

Ministers desire to state that the Central South African Railway authorities have been asked to furnish a return from 1st January to 30th June, 1903, and that the enclosed copy of a letter from Major Gray, of the Orange River Colony Police, will explain the blanks in the South African Constabulary return.

Ministers further desire to point out that it was not possible to send these returns by the mail of the 21st September, as suggested in the telegram from the Secretary of State of the 12th September,* which formed an enclosure to His Excellency's minute, No. 459, of the 21st September, as that minute was received here on the 22nd September only.

A. FISCHER.

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* No. 8.

Orange River Colony Police,
Headquarters, Bloemfontein, 10th September, 1908.

Sir,

I have the honour to forward you herewith the names, posts, and salaries of all officers, non-commissioned officers, and men who have been retrenched from the South African Constabulary from the 1st January, 1908, to the 31st ultimo.

I have shown the pension, gratuity, and leave pay paid to each member on his retirement from the Force as far as the records in this office permit, and I have referred to the Chief Paymaster and Accountant-General of the South African Constabulary in Johannesburg to furnish me with information regarding payments which have been made in the Transvaal and of which I have no record here. In reply to this request, he informs me that no official list appears to have been kept in the Secretary's office in Johannesburg, and that, owing to his having a very limited staff it would take some time to work out the payments made in each individual case.

Under these circumstances I have been unable to fill in the actual payments made in a number of cases, and would suggest that application be made by the Imperial Government for particulars in individual cases if they are desired.

I have, &c.,
G. D. Gray.

The Honourable Attorney-General,
Orange River Colony, Bloemfontein.

Return of Officials who were Retrenched from the South African Constabulary (Orange River Colony Division), during the period 1st January, 1903, to the 30th June, 1908, with the Amount of Compensation paid to each such Official.

Name.	Date Retrenched.	Gratuity.			Leave Pay.			Total.		
		£	s.	d.	£	s.	d.	£	s.	d.
McDonnell, Captain J. R. (Depôt)... ...	26 June, 1906	251	8	10	120	4	5	371	13	3
Griffiths, Captain J. T. (Harrismith) ...	30 „ „	—			229	10	0	229	10	0
Gardiner, Lieutenant H. J. (Depôt) ...	26 „ „	202	15	7	102	13	1	305	8	8
Fitzmaurice, F. K. (Depôt), Nursing Sister	26 „ „	53	6	8	20	0	0	73	6	8
Hawksworth, Lieutenant C. H. (Winburg)	Aug. „	—			55	2	6	55	2	6
Gogarty, Sub-Inspector M. G. (Depôt) ...	Mar., 1907	199	12	2	—			199	12	2
Dalgleish, Inspector G. W. (Heilbron) ...	June, „	304	3	4	255	0	0	559	3	4
Barnes, S., Nursing Sister (Depôt) ...	„ „	65	0	0	60	0	0	125	0	0
Lindsay, E. „ „ ...	„ „	50	16	8	60	0	0	110	16	8
Reeves, Sub-Inspector J. M. (Winburg) ...	Nov. „	195	3	6	—			195	3	6

Rank and Name.	District.	Salary.			Pension, Gratuity, or Leave Pay.		
		£	s.	d.	£	s.	d.
Inspector Fair, J. F., D.S.O.	Asst. Inspector-General...	...			883	6	8
„ Capell, A. E., D.S.O.	Acting Inspector-General.	50	16	2	575	0	0
„ Cumming, A. B...	Secretary	75	16	2	695	19	11
„ Edwardes, R. R.	O.R.C. Depôt	50	0	0	638	6	8
„ Nevill, G. A.	Harrismith	50	0	0	460	0	0
„ Gough, E. H. T.	Heilbron	42	10	0	555	6	8
„ Kitson, P. H.	Kroonstad...	58	6	8	425	18	6
„ Bromley, J. W.	Bloemfontein	50	0	0	127	10	0
„ Grimes, H. G.	Ladybrand	42	10	0	548	5	0
„ Crane, C. E.	Fauresmith	42	10	0	530	10	10
„ Hall, R.	Vrede	50	0	0	609	3	4
„ Henry, J.	Hoopstad	50	0	0	646	13	4
„ Ramberg, Baron V.	Boshof	50	0	0	617	10	0
„ Pousette, H. R.	Bethulie	50	0	0	625	16	8
Sub-Inspector Best, A. R....	O.R.C. Depôt	...			288	6	11
„ Singer, R.	Heilbron	...			423	18	8
„ Reed, H.	Heilbron	40	0	0	262	1	10
„ Hart, H. P.	Kroonstad	...			300	2	3

All Officers against whose names no amount of salary paid is stated have been paid their salaries due to date of their retrenchment

Rank and Name.	District.	Salary.			Pension, Gratuity, or Leave Pay.		
		£	s.	d.	£	s.	d.
Sub-Inspector Baker, A. C. G.	Kroonstad	31	0	0	258	0	8
„ Connor, T.	Bloemfontein	65	0	0	390	19	8
„ Pugh, H. O., D.S.O.	Ladybrand	...			269	6	3
„ Maguire, J. T.	Ladybrand	...			458	15	8
„ Darling, H. F., D.S.O.	Fauresmith	...			420	15	3
„ Wright, H. P.	Fauresmith	...			493	7	4
„ McCarthy, W. O.	Bethulie	...			371	19	5
„ Henry, C. F. H.	O.R.C. Depôt	...			331	8	4
„ Bourne, J. F. W.	Boshof	...			378	6	2
Medical Officer Luther, E. L.	O.R.C. Depôt	...			631	2	3
Veterinary Officer Joyce, J. F.	O.R.C. Depôt	54	3	4	659	18	7

All Officers against whose names no amount of salary paid is stated have been paid their salaries due to date of their retrenchment.

Name and Rank.	Salary.			Pension, Gratuity, or Leave Pay.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
E. 4607, Constable Mulligan, M.	15	10	6	37	14	9	53	5	3
E. 4882, Constable Davies, E. J.	14	19	0	16	1	0	31	0	0
E. 4959, Constable Cowie, J.	14	19	0	21	11	6	36	10	6
E. 4747, Constable Belemore, R. A.	14	19	0	28	1	6	43	0	6
E. 2661, Constable Bryan, R.	18	8	0	78	12	0	97	0	0
E. 3746, Constable Brown, A. J.	27	12	0	101	12	0	129	4	0
E. 3561, Constable Golledge, W. T.	17	5	0	74	0	0	91	5	0
E. 4400, Constable Fitzgerald, D.	17	14	6	67	2	0	84	16	6
E. 4125, L.-Sergeant Wilkinson, E. F.	20	14	0	87	16	0	108	10	0
E. 1674, 2nd Sergeant Hendley, A.	26	9	0	19	7	6	45	16	6
E. 2932, Head Constable Hickman, F. G.	31	1	0	129	4	0	160	5	0
E. 3316, Constable Lynch, M.	18	8	0	78	12	0	97	0	0
E. 996, Constable Booth, C. A.	18	8	0	20	12	0	39	0	0
E. 5035, Constable Parker, S.	15	18	6	18	6	6	34	5	0
E. 4342, Constable Everett, J. G.	17	16	0	69	8	0	87	4	0
E. 4342, Constable Neilands, H.	18	5	6	69	8	0	87	13	6
E. 4238, 2nd Sergeant Ryan, T. E.	33	7	0	124	12	0	157	19	0
E. 4201, 1st Sergeant Gilmer, V. W.	25	6	0	106	4	0	131	10	0
E. 2720, Constable Johnston, W. A.	20	12	0	49	16	0	70	8	0
E. 2469, Constable Fearn, J.	20	14	0	78	12	0	99	6	0
E. 4446, Constable Tompsett, F.	15	10	6	67	2	0	82	12	6
E. 5004, Constable Wills, D. C.	14	19	0	20	18	6	35	17	6
E. 4083, Head Constable Porteous, D. V.	27	16	0	120	0	0	147	16	0
E. 486, Head Constable Haddrell, F. G.	31	1	0	59	13	6	90	14	6
E. 3198, Constable Hudson, R. G.	20	8	0	49	16	0	70	4	0
E. 1325, Constable Sharman, C. G.	18	8	0	51	0	0	69	8	0
E. 4197, Constable Cheeseman, G.	...			...			...		
E. 4634, Constable Griffiths, H. C.	17	11	0	37	14	9	55	5	9
E. 4187, Constable Jeffery, C. W.	31	5	6	97	0	0	128	5	6
E. 1666, Constable Bailey, S. H.	33	9	0	106	4	0	139	13	0
E. 3585, Constable Williams, A. J.	...			...			...		
E. 3583, Constable Bracegirdle, E. J.	...			...			...		
E. 4920, Constable Davies, E. C.	...			...			...		
E. 4596, Constable Biddell, T. M.	...			...			...		
E. 4873, Lance-Corporal Sacke, D. M.	...			...			...		
E. 4942, Constable Stewart, D. A.	...			...			...		
E. 5027, Constable Kean, R. L.	...			...			...		
E. 3144, Constable Innes, A. D.	...			...			...		
E. 4685, Constable Thomas, W. H.	11	7	6	29	1	0	40	8	6
E. 4821, Constable Weaver, L. A.	...			...			...		
E. 1200, Constable Young, E. W.	...			...			...		
E. 3903, Constable Eyles, F. A.	...			...			...		
E. 3810, Constable Younger, W.	15	4	0	14	7	6	29	11	6
E. 3995, Constable Rose, J. M.	8	5	0	74	0	0	82	5	0
E 3921, Lance-Corporal Geddes, A.	15	6	0	74	0	0	89	6	0
E. 4972, Constable Capham, A. J.	10	1	6	20	18	6	31	0	0
E. 3404, Constable Owen, H. R.	14	7	0	78	12	0	92	19	0
E. 5022, Constable Alexander, A. B.	11	14	0	19	6	0	31	0	0
E. 4982, Constable Emmins, A. J.	13	6	6	20	18	6	34	5	0
E. 974, Constable Ewart, A.	18	1	0	78	12	0	96	13	0

Name and Rank.	Salary.			Pension, Gratuity, or Leave Pay.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
E. 4802, Constable Dallas, F. K. N.	14	6	0	27	8	6	41	14	6
E. 2656, Constable Thomson, W. B.	20	16	0	78	12	0	99	8	0
E. 3550, Constable Venning, H. A.	27	11	0	101	12	0	129	3	0
E. 3864, Constable Wise, H. R.	16	10	0	8	15	0	25	5	0
E. 4546, Constable Baxton, K. H.	14	17	0	39	8	6	54	5	6
E. 4244, Constable Burke, M.	16	1	0	69	8	0	85	9	0
E. 1429, Constable Senior, J. B.	19	19	0	21	8	0	41	7	0
E. 4416, Constable Aston, E.	15	2	3	67	2	0	82	4	3
E 1457, Constable Shepherd, H.	16	8	0	27	8	0	43	16	0
E. 3346, Constable Kennedy, J. H.	15	12	0	18	12	0	34	4	0
E. 4603, Constable Burniston, R. A.	13	3	3	37	14	9	50	18	0
E. 2860, Constable Chick, W.	17	11	0	27	8	0	44	19	0
E. 4605, Constable Cooke, F. H.	13	3	3	37	14	9	50	18	0
E. 4313, 2nd Sergeant Marshall, W. P.	36	5	6	24	12	0	60	17	6
E. 4946, Constable Bailey, E. H.	14	19	0	22	11	0	37	10	0
E. 4858, Constable Perren, H.	14	19	0	29	1	0	44	0	0
E. 5018, Constable Lowenthal, D. C.	14	19	0	19	19	0	34	18	0
E. 4487, Constable Burgess, R.	18	0	6	67	12	0	85	12	6
E. 4979, Constable Corr, W. D.	14	19	0	20	18	6	35	17	6
E. 2408, L. Corporal Dale, F. E.	19	13	0	78	12	0	98	5	0
E. 4981, Constable Crofton, W.	14	19	0	20	18	6	35	17	6
E. 3546, Constable Ross, R. J.	19	15	0	20	7	6	40	2	6
E. 4958, Constable Atkinson, C. M.	14	19	0	21	11	6	36	10	6
E. 4950, Constable Brown, W. L.	14	19	0	21	11	6	36	10	6
E. 4997, Constable Smith, J. W.,	14	19	0	20	18	6	35	17	6
E. 4268, 2nd Sergeant Reed, W. E.	18	17	0	122	13	0	141	10	0
E. 4993, 2nd Sergeant O'Connell, J.	14	19	0	20	18	6	35	17	6
E. 4173, 2nd Sergeant Ward, C. E.	20	14	0	69	8	0	90	2	0
E. 4688, 2nd Sergeant Boyce, W. H.	17	5	0	29	1	0	46	6	0
E. 3446, 2nd Sergeant Pysden, E.	20	12	0	78	12	0	99	4	0
E. 5030, 2nd Sergeant Shewan, M. L.	14	19	0	19	6	0	34	5	0
E. 3889, 2nd Sergeant Bullock, J.	30	2	0	53	6	0	83	8	0
E. 773, 2nd Sergeant Bowle, C.	25	6	0	106	4	0	131	10	0
E. 1756, Corporal Hammond, F.	23	0	0	97	0	0	120	0	0
E. 2788, Constable Anderson, J.	20	18	0	14	14	0	35	12	0
E. 4684, Constable Gully, F. P.	14	19	0	29	14	0	44	13	0
E. 4985, Constable Hartill, H. C.	14	19	0	20	18	6	35	17	6
E. 3545, L. Sergeant Breach, J. W.	21	17	0	92	8	0	114	5	0
E. 4470, Constable Willman, W.	17	14	6	67	2	0	84	16	6
E. 4772, Constable Dowdall, J. W.	14	19	0	27	8	6	42	7	6
E. 5014, Constable King, C. J.	14	19	0	20	18	6	35	17	6
E. 4243, Constable Unwin, W. H.	16	2	0	69	8	0	85	10	0
E. 909, Constable Wood, J. M.	18	8	0	51	0	0	69	8	0
E. 4908, Constable Reed, G.	19	10	0	7	0	0	36	10	0
E. 4649, Constable Smith, J.	15	10	6	37	1	3	52	11	9
E. 4808, Constable O'Neill, N.	14	19	0	27	8	6	42	7	6
E. 4165, Constable Morton, J. T.	8	16	0	69	8	0	78	4	0
E. 311, 1st Sergeant Chapman, F.	22	2	0	147	12	0	169	14	0
E. 4110, Constable Harmsworth, C.	10	17	0	69	1	0	79	18	0
E. 315, 1st Sergeant Cook, H. H.	26	7	0	87	3	0	113	10	0
E. 1780, Corporal Murray, W.	15	10	0	95	10	0	111	0	0
E. 3961, 2nd Sergeant Jeffrey, A. W.	16	5	6	15	10	0	31	15	6
E. 146, 2nd Sergeant Campbell, R. M.	28	16	0	136	4	6	165	0	6
E. 51, Constable Jennings, J.	17	0	0	38	11	6	55	11	6
E. 4872, Constable Lavelle, B.	14	18	0	26	9	0	41	7	0
E. 4940, Constable Bissett, M. J.	13	0	0	25	16	0	38	16	0
E. 4986, Constable Hughes, R. C.	16	5	0	22	4	6	38	9	6
E. 1386, Corporal Jones, G. K.	26	0	0	42	0	0	68	0	0
E. 5010, Constable McClurg, W.	17	4	6	21	5	0	38	9	6
E. 3883, 1st Sergeant Stone, H. J.	19	12	0	31	12	0	51	4	0
E. 867, Constable Gorton, F.	...			...			...		
E. 4654, Constable Powell, E. A.	19	13	0	69	8	0	89	1	0
E. 1076, Constable Senior, E. N.	22	1	0	78	12	0	100	13	0
E. 4650, Constable Moyles, H.	16	10	9	37	14	9	54	5	6
E. 4571, Constable Kennedy, E. A.	15	3	7	38	15	0	53	18	7
E. 4940, Constable Armstrong, R. W.	15	18	6	22	11	0	38	9	6
E. 3152, Constable Hall, E.	19	12	0	12	4	0	31	16	0
E. 4818, Constable Smith, G. E.	15	18	6	29	14	0	45	12	6
E. 1602, Constable Crisp, J. B.	19	12	0	78	12	0	98	4	0
E. 4938, Constable Westbury, L. J.	18	8	6	23	4	0	41	12	6
E. 1208, 2nd Sergeant Smith, J.	26	19	0	34	14	0	61	13	0

Name and Rank.	Salary.			Pension, Gratuity, or Leave Pay.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
E. 2125, 2nd Sergeant DICKS, W. I.	26	19	0	66	12	0	93	11	0
E. 4525, Constable OWENS, R.	18	14	9	40	8	9	59	3	6
E. 4749, Constable WILLIS, J.	21	16	0	36	12	0	58	8	0
E. 3751, Constable ADKINS, J.	20	16	6	74	0	0	94	16	6
E. 4976, Constable CLARKE, I.	15	18	6	21	11	6	37	10	0
E. 4681, Constable HAWTHORNE, E.	19	12	0	53	0	0	72	12	0
E. 1111, Corporal FITZSIMON, E. O. C.	24	10	0	97	0	0	121	10	0
E. 3986, Corporal CARR, E.	23	5	6	92	8	0	115	13	6
E. 2762, Constable STEWART, A. R. T.	29	3	0	106	4	0	135	7	0
E. 3267, Constable LEISHMAN, W.	33	10	6	69	7	0	102	17	6
E. 4954, Constable BEGHIN, P. L.	15	18	6	21	11	6	37	10	0
E. 4992, Constable MATTHEWS, H. L.	15	18	6	21	11	6	37	10	0
E. 4709, Constable TAYLOR, N. B.	15	18	6	29	1	0	44	19	6
E. 4776, Constable RUSSELL, F. N.	15	2	8	27	8	6	42	11	2
E. 4840, Constable HAUPT, A. A.	14	19	0	16	14	0	31	13	0
E. 1059, Lance-Corporal RODGERS, R.	35	2	0	106	4	0	141	6	0
E. 4403, Constable BRIGGS, A.	22	2	0	19	12	6	41	14	6
E. 4881, Corporal DAUNCEY, T. F. T.	16	4	6	14	7	6	30	12	0
E. 422, 2nd Sergeant MATHISON, J.	20	18	6	138	8	0	159	6	6
E. 2342, Constable READING, E. H.	15	19	0	105	13	0	121	12	0
E. 4722, Constable ASHFORD, J.									
E. 594, Corporal FENNELL, S. M.									
E. 4481, Constable DENTON, E. J.									
E. 96, Constable GARRISON, B. D.									
E. 2510, Constable MALLETT, A.									
E. 3155, Constable LAING, J.									
E. 4594, Constable RAYMONT, E. R. W.									
E. 4688, Constable CARROLL, O. H. G.									
E. 4839, Constable FRANCIS, J. W.									
E. 4866, Constable DUNCAN, W.									
E. 4934, Constable DREYER, L.									
E. 4939, Constable CRUMPLIN, E. J.									
E. 4966, Constable COULTER, W. H.									
E. 5009, Constable DE BUIJS, T.									
E. 4871, Constable OWEN, J. A.									
E. 4971, Constable BROOK, J.									
E. 4974, Constable CASSAM, M. H.									
E. 2961, Constable CARR, E. E.									
E. 4921, Constable MCLAUGHLAN, P.									
E. 3793, Constable BLOUNT, E.									
E. 4701, Constable THORPE, R. O.									
E. 4025, Constable KRUGER, J. N.									
E. 4485, Constable TAYLOR, F. E.									
E. 3222, Constable GAY, W.									
E. 4386, Constable HENDERSON, A. S.									
E. 4705, Constable GADE, R. J. A.									
E. 4820, Constable CAVANAGH, F.									
E. 4069, Constable CULLEN, J.									
E. 4320, Lance-Corporal RANDALL, W									
E. 4842, Constable HATTERSLEY, D.									
E. 5012, Constable LLOYD, J.									
E. 4831, Constable LOUBSER, J. H.									
E. 4330, Lance-Corporal BUNBURY, D. S. T.									
E. 4526, Constable GLASOCK, V. C. H. H.									
E. 4539, Constable CLOETE, C. J.									
E. 4969, Constable BAKER, W.									
E. 5013, Constable BELFIELD, F.									
E. 980, Constable CUNNINGTON, J.									
E. 3952, Constable APPLETON, F.									
E. 4737, Constable RAVENSHAW, A. W.									
E. 4746, Constable WORTH, A.									
E. 4567, Constable BARFIELD, J.									
E. 1727, Constable GLASS, A.									
E. 1768, Constable LOGAN, H.									
E. 2282, Constable MAHAR, T. B.									
E. 2551, Constable LINDSAY, J. M.									
E. 4698, Constable MACGREGOR, A. C.									
E. 3982, Constable NICHOLLS, E.									
E. 5034, Constable CROFT, A. D.									
E. 4377, Constable BAGSHAW, M. J.									
E. 4501, Constable SMALLMAN, J. H.									
E. 4591, Constable WALTON, G.									

Name and Rank.	Salary.	Pension, Gratuity, or Leave Pay.	Total
	£ s. d.	£ s. d.	£ s. d.
E. 4612, Constable CROLE, C. S.			
E. 4619, Constable ALEXANDER, W.			
E. 5033, Constable OOSTHUIZEN, A. D.			
E. 4728, Constable FARNDELL, W. J.			
E. 4990, Constable LAW, W. G.			
E 4341, Constable HALLEY, W S.			
E. 4988, Constable JONES, T. P.			
E. 2667, 2nd Sergeant BREMNER, W. S.			
E. 596, L.-Corporal WAY, T. F.			
E. 3834, Constable PENTELOW, P.			
E. 3936, Constable GOVETT, R. M. G.			
E. 4955, Constable THOMAS, P. A.			
E. 5001, Constable WACHER, R. J.			
E. 3643, L.-Corporal CAIRNS, R.			
E. 4695, Constable WILEY, C. W.			
E. 771, 1st Sergeant ISAACS, J. O. R.			
E. 4891, Constable HOWES, E. W.			
E. 4774, Constable HOLME, W. A.			
E. 4336, 1st Sergeant GIBBS, T. J.			
E. 4945, Constable CRONJE, J. J.			
E. 4352, 1st Sergeant SHEARER, J. C.			
E. 4703, Constable MOLLENTZE, J. D.			
E. 4531, Constable CLAYTON, J. P.			
E. 3900, Constable Drohan, J.			
E. 4773, Constable WELTON, T.			
E. 4983, Constable FORBES, P.			
E. 3646, Constable WILLIAMS, L. M.			
E. 4721, Constable COGHLAN, T. R.			
E. 4817, Constable MORCOM, G. F.			
E. 3930, Constable BACON, F. J.			
E. 4763, Constable POTTER, W. H.			
E. 4830, Constable MARTIN, A. E.			
E. 4762, Constable KELLY, G. J.			
E. 4779, Constable WILSON, J. W.			
E. 3720, Constable Tuck, J.			
E. 4282, Constable TAYLOR, T. A.			
E. 4435, Constable Jones, T. E.			
E. 4447, Constable THORP, M. H.			
E. 2855, Constable MACINTOSH, J.			
E. 4618, Constable SCOTT, R. E. C.			
E. 4720, Constable GREENE, R. C.			
E. 4978, Constable CORFIELD, C. R.			
E. 4926, Constable BLACKBURN, J.			
E. 1564, 2nd Sergeant BLACKMORE, A.			

LIST of OFFICIALS RETRENCHED from the CIVIL SERVICE OF THE ORANGE RIVER COLONY.

Name and Office.	Date of leaving Service.	Gratuity on Retirement.			Remarks.
		£	s.	d.	
CHARLES E. MCCARTHY, Clerk, Legislative Council.	31/1/08	88	16	3	Abolition of office.
HENRY GUY SUPPLE, Assistant Director of Prisons.	30/9/07	500	0	0	Abolition of office.
G. SHAW SCOTT, Chief, Horticultural Division, Agricultural Department.	31/12/07	Not drawn yet			Amalgamation of office with Biological Division; re-appointed to temporary post.
J. A. WILSON, Clerk, Land Settlement Department.	1/10/07	70	16	8	Re-organisation of Department.
G. P. LOVETT, 1st Clerk, Veterinary Division, Agricultural Department.	30/6/05	42	0	0	
LT.-COL. T. FLINTOFF, Chief, Veterinary Division, Agricultural Department.	30/9/05	900	0	0	Abolition of position at this salary.
THOS. SMITH, Dairy Expert, Agricultural Department.	30/6/05	700	0	0	Abolition of office.

Name and Office.	Date of Leaving Service.	Gratuity on Retirement.	Remarks.
		£ s. d.	
H. E. **Bateman White**, Registrar of Brands and Secretary and Accountant, Tweespruit Experimental Farms, Agricultural Department.	30/9/04	180 0 0	Ill-health.
W. A. **Russell**, Assistant Director of Education.	31/1/04	2,000 0 0	Abolition of office.
R. C. W. **Selby-Lowndes**, Inspector Land Settlement Department.	1/10/07	116 13 4	Reorganisation of Department.
H. A. **Broome**, Resident Magistrate ...	March, 1904	600 0 0	Resignation.
G. **Cockings**, Chief Diamond Setter, Public Works Department.	30/6/05	37 10 0	Substitution of Jumper for Diamond drills.
G. W. **Hesketh**, Assistant Diamond Setter, Public Works Department.	30/6/05	Nil	Substitution of Jumper drills, re-appointed to temporary post.
H. **Auliff**, Assistant Accountant, Public Works Department.	22/5/08	87 0 7	Ill-health.

LIST of OFFICERS RETRENCHED from the CENTRAL SOUTH AFRICAN RAILWAYS (ORANGE RIVER COLONY.)

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	In lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C. SALARIED STAFF) TRAFFIC DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1903-4.				
Biermann, E., Messenger	72 0 0	...	6 0 0	6 0 0
Connor, J. C., Messenger	72 0 0	...	6 0 0	6 0 0
Forgie, H. S., Telegraphist	212 0 0	...	17 13 4	17 13 4
Konig, C. P., Junior Telegraphist ...	150 0 0	...	12 10 0	12 10 0
Loveday, H. T., Junior Telegraphist	161 5 0	...	13 8 9	13 8 9
Martin, G. F., Junior Telegraphist	150 0 0	...	12 10 0	12 10 0
Penn, H. W., Messenger	48 0 0	...	4 0 0	4 0 0
Raine, J. R., Telegraphist	157 10 0	...	13 2 6	13 2 6
Woodrow, J., Telegraphist	150 0 0	...	12 10 0	12 10 0
Total	—	—	97 14 7	97 14 7
1904-5.				
Anderson, R. J., Telegraphist ...	215 0 0	..	17 18 4	17 18 4
Barlow, J. H. F., Clerk	168 0 0	3 1 5	10 14 8	13 16 1
Burnett, A. K., Clerk	227 15 0	...	18 19 7	18 19 7
Baine, S., Clerk	192 12 0	...	16 1 0	16 1 0
Beckmann, E. H., Telegraphist ...	223 7 6	3 1 5	18 12 3	21 13 8
Cox, G., Telegraphist	190 10 0	1 11 1	15 17 6	17 8 7
Deane, W., Telegraphist	117 0 0	...	9 15 0	9 15 0
Jenkin, G. H. Telegraphist	175 0 0	...	14 11 8	14 11 8
Machell, T., Clerk...	179 14 0	...	14 19 6	14 19 6
Moore, C., Telegraphist	250 7 0	3 1 5	20 17 3	23 18 8
McNeil, J. H., Telegraphist ...	342 0 0	...	28 10 0	28 10 0
Mayhew, R. J., Telegraphist ...	102 0 0	...	8 10 0	8 10 0
Moroney, E. J., Telegraphist ...	230 5 0	3 1 5	19 3 9	22 5 2
Total	...	13 16 9	214 10 6	228 7 3
1905-6. Nil.		Cash equivalent for leave actually earned.		
1906–07.				
Long, W. H., Clerk	205 0 0	74 0 7	...	74 0 7
Madhew, J. A., Telegraphist ...	225 0 0	93 15 0	...	93 15 0
Total	...	167 15 7	...	167 13 7

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C. SALARIED STAFF) TRAFFIC DEPARTMENT. 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
AKERS, W. T. M. S., Clerk ...	230 0 0	57 10 0	32 3 0	3 1 5	19 3 4	111 17 9
CONGREVE, F. J., Assistant Cartage Superintendent ...	505 0 0	300 0 0	52 18 11	7 13 7	42 1 8	402 14 2
GAMMON, A., Clerk	225 0 0	56 5 0	11 17 6	...	18 15 0	86 17 6
THOMPSON, J. F., Telegraphist	280 0 0	70 0 0	70 0 0	...	23 6 8	163 6 8
TOTAL	...	483 15 0	166 19 5	10 15 0	103 6 8	764 16 1

Names (in alphabetical order) and Nature of Appointment.	Salary per diem at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C. DAILY PAY STAFF) TRAFFIC DEPARTMENT. 1903–04.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
ARCHER, F., Shunter	0 8 0	2 5 2	5 12 0	7 17 2
BADENHORST, P. J., Checker ...	0 8 0	...	5 12 0	5 12 0
BROODRYK, J. A., Shunter	0 8 0	...	5 12 0	5 12 0
BENZIUDENHOUT, C. A., Shunter ...	0 7 6	...	5 5 0	5 5 0
CARMALT, F. B., Watchman	0 7 6	...	5 5 0	5 5 0
DONOVAN, J., No. Taker	0 7 6	1 2 7	5 5 0	6 7 7
EVANS, T., Shunter	0 7 6	2 5 2	5 5 0	7 10 2
HINDS, W. J., Checker	0 10 0	...	7 0 0	7 0 0
JAFFRAY, WM., Shunter	0 9 0	...	6 6 0	6 6 0
JOUBERT, J. A., Shunter	0 8 0	...	5 12 0	5 12 0
LYALL, J., Shunter	0 7 6	2 5 2	5 5 0	7 10 2
MEARNS, W., Clerk	0 10 0	2 5 2	7 0 0	9 5 2
MEINTZES, J., Messenger	0 3 0	...	2 2 0	2 2 0
MCNINCH, J., Foreman	0 9 0	...	6 6 0	6 6 0
OLIVER, J., Checker	0 9 0	2 5 2	6 6 0	8 11 2
OOSTHUIZEN, J. H., Gatekeeper ...	0 7 0	1 2 7	4 18 0	6 0 7
PLENDENLEITH, B. J., No. Taker ...	0 8 0	2 5 2	5 12 0	7 17 2
RUSSELL, J., Constable	0 8 0	...	5 12 0	5 12 0
ROWLANDS, F. L., Checker	0 8 0	...	5 12 0	5 12 0
SNYMAN, C. C., Foreman	0 8 0	...	5 12 0	5 12 0
SCOTT, B., Constable	0 8 0	...	5 12 0	5 12 0
SHARPE, H. C., Checker	0 7 6	...	5 5 0	5 5 0
TUNSTEAD, H., Checker	0 9 0	1 2 7	6 6 0	7 8 7
VAN DER BERG, S., Checker	0 8 0	...	5 12 0	5 12 0
VAN DER BERG, J. C., Gateman ...	0 7 6	...	5 5 0	5 5 0
VORSTER, I. D., Shunter	0 7 6	...	5 5 0	5 5 0
VAN VREDEN, P. J., No. Taker ...	0 8 0	1 1 6	5 12 0	6 13 6
VILJOEN, H., Gateman	0 7 6	...	5 5 0	5 5 0
VAN DER LINDE, J. A., No. Taker ...	0 7 6	2 5 2	5 5 0	7 10 2
VAN ASWEGAN, J. H., Constable ...	0 8 6	...	5 19 0	5 19 0
VAN WYK, K. P., Shunter	0 7 6	...	5 5 0	5 5 0
WEBSTER, J., Constable	0 8 0	...	5 12 0	5 12 0
WALLER, A. W., Checker	0 8 0	...	5 12 0	5 12 0
TOTAL	...	20 5 5	182 14 0	202 19 5
1904–5.				
ALLISON, J., Checker	0 9 0	...	6 6 0	6 6 0
BROWN, C. G., Telegraph Messenger	0 4 0 + £12 cycle.	...	2 16 0	2 16 0
BROUGHTON, J. T., Guard	0 11 10	...	8 5 8	8 5 8
DURLER, W., Checker	0 8 6	...	5 19 0	5 19 0
ERASMUS, N. J., Watchman	0 9 6	...	6 13 0	6 13 0
GRIGGS, W. H., Messenger	0 4 0 + £12 cycle.	...	2 16 0	2 16 0
MAIDEN, A., Messenger	0 3 6	...	2 9 0	2 9 0

Names (in alphabetical order) and Nature of Appointment.	Salary per diem at date of Retrenchment.	Compensation Granted.		
		Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C., DAILY PAY STAFF) TRAFFIC DEPARTMENT—*cont.*	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1904–5—*cont.*				
MAHER, E. C., Checker	0 9 6	...	6 13 0	6 13 0
MCLENNAN, W., Checker	0 9 6	2 5 2	6 13 0	8 18 2
PIENAAR, J. J. L., Sailmaker ...	0 8 6	...	5 19 0	5 19 0
PIENAAR, W. VAN ZYL, Sailmaker ...	0 8 0	...	5 12 0	5 12 0
PAXTON, W. H., Checker	0 8 6	...	5 19 0	5 19 0
PIEPER, D. W., Checker	0 9 0	...	6 6 0	6 6 0
VORSTER, C. J., Sailmaker	0 8 6	...	5 19 0	5 19 0
WYATT, C. E., Constable	0 8 6	...	5 19 0	5 19 0
TOTAL	...	2 5 2	84 4 8	86 9 10
1905–06.				
CRICKMER, F. T., Checker	0 12 6	...	8 15 0	8 15 0
MARTIN, V., No. Taker	0 8 0	...	5 12 0	5 12 0
TOTAL	...	...	14 7 0	14 7 0
1906–07.				
BAGLEY, E. J. M., Foreman	0 9 0	...	6 6 0	6 6 0
BAILIE, C. H., Checker	0 9 6	...	6 13 0	6 13 0
FINCHEM, E. G., Junior Clerk ...	0 2 4	...	1 12 8	1 12 8
GRIESSEL, G., Porter	0 9 6	...	6 13 0	6 13 0
SPACKMAN, H., Checker	0 10 6	...	7 7 0	7 7 0
SUTHERLAND, D. J., Messenger ...	0 4 0	...	2 16 0	2 16 0
WARDEN, H. D., Porter	0 9 6	...	6 13 0	6 13 0
WEINBIRG, L., No. Taker	0 11 0	1 1 1	7 14 0	8 15 1
TOTAL	...	1 1 1	45 14 8	46 15 9
1907–08.				
COOPER, R. D., Foreman	0 11 0	2 5 2	7 14 0	9 19 2
SMITH, A. J. W., Messenger	0 3 0	...	2 2 0	2 2 0
VAN DER WALT, P. J., Junior Clerk	0 3 0	...	2 2 0	2 2 0
TOTAL	...	2 5 2	11 18 0	14 3 2

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.				
		Pension Awarded per Annum.	Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R., O.R.C., LOCOMOTIVE DEPARTMENT. SALARIED STAFF.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1903–04.						
HOSSACK, A., Draughtsman ...	284 0 0	...	...	...	23 14 9	23 14 9
KEPPEL-POWIS, C. W., Clerk ...	193 0 0	...	...	...	16 2 6	16 2 6
MCMASTER, L. A. V., Clerk ...	161 5 0	...	...	...	13 8 9	13 8 9
TOTAL	638 5 0	...	...	...	53 6 0	53 6 0
1904–05.						
BROACH, E., First Clerk	258 0 0	...	...	74 18 0	21 10 0	96 8 0
DUNCUM, E., Clerk	225 15 0	...	...	50 19 7	18 16 3	69 15 10
GARSIDE, G. H., Clerk	204 5 0	...	...	...	17 0 5	17 0 5
JONES, W. H., Clerk	215 0 0	...	...	15 15 6	17 18 4	33 13 10
SCHWARTZ, H. W., Clerk ...	161 5 0	...	...	13 8 9	13 8 9	26 17 6
TOTAL	1,064 5 0	...	...	155 1 10	88 13 9	243 15 7
1905–06.						
GOODING, T., Driver-in-charge ...	360 0 0	44 1 2	...	...	...	...
1906–07.						
Nil.						
1907–08.						
DURRANT, M. N., Works Manager	600 0 0	...	600 0 0	...	...	600 0 0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—O.R.C., LOCOMOTIVE DEPARTMENT, DAILY-PAID STAFF. 1903–04.	£	s.	d.	£	s.	d.
Badier, C., Driver	212	2	0	9	16	0
Barrows, H. N., Coal Stageman	128	15	6	5	19	0
Baker, S. A., Fireman	121	4	0	5	12	0
Crawley, J. J., Labourer	131	6	0	6	1	4
Cruickshank, D., Coach Builder	234	16	6	10	17	0
Cunninghame, C., Fireman	121	4	0	5	12	0
Clarke, C. J., Driver	204	10	6	9	9	0
Chambers, A., Fireman	166	13	0	7	14	0
Clarke, J. E., Oiler	121	4	0	5	12	0
Davis, H., Fitter	227	5	0	10	10	0
Davis, T. L., Fitter	232	6	0	10	14	8
Edmondson, S., Driver	196	19	0	9	2	0
Flannagan, A., Fireman	166	13	0	7	14	0
Gilnik, C., Fitter	171	14	0	7	18	8
Gouws, C. J., Pumper	128	15	6	5	19	0
Gower, E., Driver	196	19	0	9	2	0
Gouws, J. Fireman	151	10	0	7	0	0
Halstead, S., Fitter	224	14	6	10	7	8
Huntington, J. A., Fireman	196	19	0	9	2	0
Hummel, G. H., Driver	212	2	0	9	16	0
Hamilton, J., Fireman	151	10	0	7	0	0
Hadkins, D., Fitter	232	6	0	10	14	8
Haines, W., Examiner	151	10	0	7	0	0
Havenga, S., Driller	143	18	6	6	13	0
Inch, H., Fireman	143	18	6	6	13	0
Jones, D., Fitter	121	4	0	5	12	0
Kruger, J. H., Labourer	116	3	0	5	7	4
Kleinhans, N. L., Fireman	151	10	0	7	0	0
Kleinhans, J. H. A., Fireman	121	4	0	5	12	0
Kleinhans, E. L., Oiler	121	4	0	5	12	0
Kruger, J., Oiler	136	7	0	6	6	0
Leverett, C. F., Trimmer	212	2	0	9	16	0
Lang, H., Fireman	151	10	0	7	0	0
Logan, D., Fitter	227	5	0	10	10	0
Lamprecht, D., Oiler	121	4	0	5	12	0
Louw, S., Fireman	184	11	9	7	14	0
Mitchell, G. R., Fitter	232	6	0	10	14	8
McCann, T., Storeman	136	7	0	6	6	0
Matthews, W. G., Carpenter	212	2	0	9	16	0
Myers, W. F., Labourer	85	17	0	3	19	4
Mann, H., Painter	222	4	0	10	5	4
Meintjes, P., Fireman	159	1	6	7	7	0
Mance, H., Timekeeper	136	7	0	6	6	0
Meyer, P., Fireman	151	10	0	7	0	0
Oliver, W. P., Fitter	202	0	0	9	6	8
Pienaar, H., Lifter	131	6	0	6	1	4
Pretorius, G. J., Oiler	121	4	0	5	12	0
Pretorius, S., Oiler	121	4	0	5	12	0
Potgieter, J., Fireman	151	10	0	7	0	0
Richmond, W., Coachbuilder	232	6	0	10	14	8
Rouse, A., Fitter	222	4	0	10	5	4
Ralph, J. Lifter	98	9	6	4	11	0
Richards, J. W., Fitter	227	5	0	10	10	0
Rivett, W., Examiner	121	4	0	5	12	0
Ruthven, D., Oiler	121	4	0	5	12	0
Strydom, C., Oiler	121	4	0	5	12	0
Shawyer, J. A., Traction Engine Driver	181	16	0	8	8	0
Hollander, C., Driver	196	19	0	9	2	0
Van der Linde, C. J., Labourer	106	1	0	4	18	0
Vand de Berg, H., Labourer	111	2	0	5	2	8
Venter, F., Carpenter	181	16	0	8	8	0
Venter, S., Labourer	121	4	0	5	12	0
Viljoen, J. P., Examiner	121	4	0	5	12	0
Viljoen, P. J. J., Labourer	60	12	0	2	16	0
Welch, W. H., Examiner	136	7	0	6	6	0
Weyland, J., Fireman	181	16	0	8	8	0
Webster, W., Driver	196	19	0	9	2	0
Total	10,837	11	3	499	18	4

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—O.R.C., LOCOMOTIVE DEPARTMENT, DAILY-PAID STAFF. 1904–05.	£	s.	d.	£	s.	d.
Abraham, W., Turner	212	2	0	9	16	0
Alberts, J., Labourer	116	3	0	5	7	4
Attree, E., Carpenter	189	7	6	8	15	0
Arthur, H., Fitter	217	3	0	10	0	8
Anderson, C. A., Driver	185	11	9	8	11	6
Andrews, H., Fireman	209	11	6	9	13	8
Botha, C. J., Oiler	113	12	6	5	5	0
Bywater, E., Fitter	239	17	6	11	1	8
Brittingham, R. J., Fitter	303	0	0	14	0	0
Boote, G., Fireman	194	8	6	8	19	8
Buys, H., Watchman	121	4	0	5	12	0
Bryan, P., Painter	166	13	0	7	14	0
Bach, J., Improver	191	18	0	8	17	4
Blake, H. W., Labourer	151	10	0	7	0	0
Bell, H., Machinist	212	2	0	9	16	0
Blignant, S., Labourer	116	3	0	5	7	4
Brain, J., Labourer	106	1	0	4	18	0
Britz, C., Labourer	106	1	0	4	18	0
Carron, W., Fitter	217	3	0	10	0	8
Coetzee, T., Labourer	131	6	0	6	1	4
Celliers, J., Labourer	111	2	0	5	3	10
Croucamp, B. F., Labourer	121	4	0	5	12	0
Cottar, J., Fitter	227	5	0	10	10	0
Croucamp, H., Labourer	116	3	0	5	7	4
Campbell, W., Fitter	101	0	0	4	13	4
Coetzee, J., Driver	261	6	9	12	1	6
Clegg, W. H., Examiner	181	5	7	8	2	2
Du Toit, S. F., Labourer	111	2	0	5	2	8
De Lange, J. F., Labourer	111	2	0	5	2	8
Derwin, J. H., Fitter	232	6	0	10	14	8
Daubern, R., Coppersmith	242	8	0	11	4	0
Dodd, E., Moulder	181	16	0	8	8	0
De Klerk, J. H., Labourer	106	1	0	4	18	0
Dutoit, J., Oiler	113	12	6	5	5	0
Evetts, W. A., Labourer	106	1	0	4	18	0
English, E., Sailmaker	151	10	0	7	0	0
Flynn, F., Fitter	232	6	0	10	14	8
Francis, E. A., Driver	246	3	9	11	7	6
Francis, F. A., Fireman	193	3	3	8	18	6
Feniera, J. B., Oiler	113	12	6	5	5	0
Groenewald, W., Labourer	116	3	0	5	7	4
Grobler, B., Labourer	106	1	0	4	18	0
Grobelaar, J., Labourer	126	5	0	5	16	8
Grobelaar, C. J., Labourer	116	3	0	5	7	4
Gouws, B. J., Labourer	116	3	0	5	7	4
Gouws, J. T., Labourer	116	3	0	5	7	4
Gregory, J., Chargeman	272	14	0	12	12	0
Gainsford, R., Fireman	185	11	9	8	11	6
Hannah, J., Fitter	237	7	0	10	19	4
Hills, F., Fitter	217	3	0	10	0	8
Henry, T., Labourer	121	4	0	5	12	0
Housencroft, A., Painter	156	11	0	7	4	8
Haywood, W., Blacksmith	232	6	0	10	14	8
Hill, W. J, Driver	252	10	0	11	13	4
Hastings, J., Fireman	185	11	9	8	11	6
Jamieson, A., Labourer	116	3	0	5	7	4
Joubert, W. A., Lifter	136	7	0	6	6	0
Jensen, J. K., Fitter	232	6	0	10	14	8
Jacobs, D. H., Fireman	193	3	0	8	18	6
Kroncamp, J. K. E., Labourer	116	3	0	5	7	4
Koen, A. O., Labourer	106	1	0	4	18	0
Kosher, C., Carpenter	212	2	0	9	16	0
Kane, T., Brassfinisher	222	4	0	10	5	4
Kenny, J., Rivetter	202	0	0	9	6	8
Kane, T., Fireman	210	16	9	9	14	10
Kleinhaus, E. P., Oiler	113	12	6	5	5	0
Lindsay, R., Fitter	232	6	0	10	14	8

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R.—O.R.C. LOCOMOTIVE DEPARTMENT, DAILY-PAID STAFF—*cont.*						
1904–05—*cont.*	£	s.	d.	£	s.	d.
Liebenberg, A. J., Labourer	106	1	0	4	18	0
Love, R. C., Blacksmith...	227	5	0	10	10	0
Lawrence, F. T., Coachbuilder	242	8	0	11	4	0
Lang, J., Driver	234	16	6	10	17	0
Matthews, T., Fitter	237	7	0	10	19	4
McLeod, J., Fitter	232	6	0	10	14	8
Manser, W., Brassfinisher	227	5	0	10	10	0
Markey, H., Painter	242	8	0	11	4	0
Masseyn, D. J., Labourer	126	5	0	5	16	8
Mallenson, J. F., Painter	171	14	0	7	18	8
McIntyre, C. T., Fireman	193	3	3	8	18	6
Neilson, L., Chargeman's Helper	141	8	0	6	10	8
Naude, N. T., Examiner	136	7	0	6	6	0
Oliver, A., Driver	234	16	6	10	17	0
Obelt, W., Brassfinisher	232	6	0	10	14	8
Oosthuizen, R. J., Labourer	106	1	0	4	18	0
Oliver, M., Blacksmith	161	12	0	7	9	4
Oakden, R. B., Fitter	222	4	0	10	5	4
Oliver, D. W., Labourer	106	1	0	4	18	0
Oliver, L., Labourer	106	1	0	4	18	0
Oliver, D., Driller	121	4	0	5	12	0
Plumstead, W. G., Brassfinisher	224	14	6	10	7	8
Pietzer, C., Chargeman's Helper	156	11	0	7	4	8
Pretorius, S., Labourer	136	7	0	6	6	0
Pretorius, J., Carpenter	181	16	0	8	8	0
Potgieter, N., Carpenter	186	17	0	8	12	8
Pretorius, G. J., Blacksmith	191	18	0	8	17	4
Pienaar, A. S., Labourer	112	2	0	5	3	10
Roux, P. H., Labourer	136	7	0	6	6	0
Rensburg, J., Striker	121	4	0	5	12	0
Ralph, W., Lifter	131	6	0	6	1	4
Robertson, G. A., Timekeeper	227	5	0	10	10	0
Stoltz, R. J., Labourer	111	2	0	5	2	8
Strydom, B. J., Labourer	111	2	0	5	2	8
Swanepoel, S. J., Labourer	116	3	0	5	7	4
Smith, R. M.. Brassfinisher	242	8	0	11	4	0
Seidel, F. G., Fitter	237	7	0	10	19	4
Street, J. W., Driver	234	16	6	10	17	0
Thompson, W. L.. Painter	202	0	0	9	6	8
Turnbull, W., Boilermaker	229	15	6	10	12	4
Tippett, J. H., Blacksmith	217	3	0	10	0	8
Van d. Walt, L. T., Labourer...	106	1	0	4	18	0
Vermaak, P., Labourer...	116	3	0	5	7	4
Venter, H. G., Labourer	116	3	0	5	7	4
Vervey, C. J., Chargeman's Helper	141	8	0	6	10	8
Van D. Berg, W. J., Lifter	131	6	0	6	1	4
Van d. Walt, W. J., Labourer...	106	1	0	4	18	0
Visagie, J. C., Labourer	106	1	0	4	18	0
Van d. Lingen, R., Labourer	106	1	0	4	18	0
Van Wyk, A., Labourer	106	1	0	4	18	0
Vorster, J. H., Labourer	116	3	0	5	7	4
Van d. Berg, H. J., Labourer	116	3	0	5	7	4
Venter, D., Labourer...	126	5	0	5	16	8
Van d. Berg, B. H., Labourer	121	4	0	5	12	0
Van Zyl, Z., Driller	116	3	0	5	7	4
Van Rensburg, G. F., Oiler	113	12	6	5	5	0
Van Niekerk, A., Oiler	113	12	6	5	5	0
Van Vuuren, J. A., Labourer	121	4	0	5	12	0
Wessels, L. G., Labourer	116	3	0	5	7	4
Whittingham, J., Painter	242	8	0	11	4	0
Whitby, J., Rivetter	181	16	0	8	8	0
Weyland. J., Coalstageman	148	13	6	6	13	0
Yeo, W. A., Improver	111	2	0	5	3	10
Total ...	21,509	7	7	993	9	6
1905-6.						
Nil.						

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Total Compensation, in lieu of Notice.		
C.S.A.R. (O.R.C.) LOCOMOTIVE DEPARTMENT, Daily Paid Staff—*cont.*						
1906–7.	£	s.	d.	£	s.	d.
Cunninghame, C., Fireman	185	11	9	8	11	6
Edwards, A. G., Driver	314	16	3	12	1	6
Meadway, T., Fitter	303	0	0	14	0	0
Phillips, E. R., Fireman	193	3	3	8	18	6
Potgieter, J. C., Fireman	182	10	0	7	0	0
Potgieter, J., Fireman	182	10	0	7	0	0
Potgieter, H., Fireman	200	14	9	9	5	6
Primmer, I., Pumper	237	5	0	9	2	0
Schutte, R., Fireman	182	10	0	7	0	0
Shepstone, G. A., Call Boy	82	2	6	3	3	0
Van Vuuren, H., Fireman	182	10	0	7	0	0
Van d. Walt, N., Fireman	209	11	6	9	13	8
Van Niekerk, G., Fireman	182	10	0	7	0	0
Total	2,638	15	0	109	15	8
1907–8.						
Attree, E., Lifter	182	8	0	8	8	0
Beckwith, J. L., Carpenter	272	14	0	12	12	0
Black, T., Painter	303	0	0	14	14	0
Blignaut, S. J., Labourer	151	10	0	7	0	0
Crammond, J., Rivetter	272	14	0	12	12	0
Du Plooy, J., Labourer	176	15	0	8	3	4
Dick, J., Labourer	186	12	0	8	12	8
Fulton, J., Boilermaker	287	17	0	13	6	0
Foster, C. J., Painter	269	9	4	12	2	8
Harms, C., Boilermaker	293	17	4	13	10	8
Jacobsen, G., Labourer	192	10	8	8	17	4
Kruger, F. J., Labourer	176	15	0	8	3	4
Kleinhaus, D., Labourer	176	15	0	8	3	4
Kruger, J. C., Labourer	176	15	0	8	3	4
Kroucamp, B. F., Labourer	176	15	0	8	3	4
Moss, P. C., Carpenter	222	4	0	10	5	4
Massyn, J. B., Labourer	141	8	0	6	10	8
McQueen, J. G., Painter	272	14	0	12	12	0
Potgieter, N., Lifter	182	8	0	8	8	0
Sweke, J., Carpenter	272	14	0	12	12	0
Smith, W. K., Lifter	182	8	0	8	8	0
Taylor, W. H., Improver	222	4	0	10	5	4
Tew, A. E., Painter	287	17	0	13	6	0
Tuddy, W., Blacksmith	303	0	0	14	0	0
Van Vuuren, J. A., Labourer	176	15	0	8	3	4
Weir, A. H., Improver	222	4	0	10	5	4
Total	5,782	3	4	266	14	0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.			Compensation Granted.								
				Gratuity in respect of Service.			Cash equivalent for leave actually earned.			Total Compensation.		
C.S.A.R. (O.R.C.) ENGINEERING DEPARTMENT.												
Salaried Staff 1904–5.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Bryon, R. R., N.C., Transitman	525	0	0	...			58	15	1	58	15	1
Edwards, B. R., Assistant Engineer	450	0	0	112	10	0	75	0	0	187	10	0
Hodgens, W. V., N.C., Clerk	270	0	0	...			47	17	4	47	17	4
Wilson, J., Bridge Inspector	360	0	0	...			30	0	0	30	0	0
Total	...			112	10	0	211	12	5	324	2	5

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation granted.		
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
C.S.A.R. (O.R.C.) ENGINEERING DEPT.— Salaried Staff, 1903–4.				
Calcott, F. S. B., N.C., Divisional Engineer.	800 0 0	...	101 15 5	101 15 5
Currie, A., N.C., Divisional Engineer	900 0 0	...	73 4 6	73 4 6
Pick, A. J., N.C., Inspector	360 0 0	...	30 0 0	30 0 0
Total	...	...	204 19 11	204 19 11

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
C.S.A.R. (O.R.C.) ENGINEERING DEPT.— Salaried Staff, 1905–6.					
Bostock, A. T., N.C., Assistant Engineer.	500 0 0	...	77 3 0	1 11 1	78 14 1
McGregor, W., N.C., Inspector	360 0 0	...	36 19 4	...	36 19 4
Scott, W. S., Resident Engineer	1,000 0 0	250 0 0	...	3 1 5 44 12 0	297 13 5
Total	... ...	250 0 0	114 2 4	49 4 6	413 6 10
Salaried Staff, 1906–7.					
Davie, S. C. G., N.C., Tracer ...	300 0 0	...	32 1 5	3 1 5	35 2 10
Derbyshire, A., Lineman ...	170 0 0	14 3 4	14 3 4	4 10 1	32 16 9
McRitchie. C. B., N.C., Assistant Engineer.	600 0 0	...	164 18 8	...	164 18 8
Thompson, C. L., Lineman ...	192 0 0	16 0 0	54 8 0	...	70 8 0
Wilson, W. R., N.C., Assistant Engineer.	525 0 0	...	131 16 4	3 1 5	134 17 9
Total	... ...	30 3 4	397 7 9	10 12 11	438 4 0
Salaried Staff, 1907–8.					
Girardin, G. J., District Engineer	700 0 0	233 6 8	175 0 0	6 2 10	414 9 6
Hawthorne, H. F. N., Clerk ...	278 0 0	370 13 4	23 3 4	...	393 16 8
Head, H. D., Clerk	240 0 0	40 0 0	34 0 0	...	74 0 0
Jack, A., N.C., Divisional Engineer.	1,000 0 0	...	416 13 4	...	416 13 4
Jessup, D., Clerk	370 0 0	385 0 0	92 10 0	...	477 10 0
Lawrie, J., Draughtsman ...	285 0 0	23 15 0	114 19 0	...	138 14 0
O'Brien, L. H., N.C., Masonry Inspector.	360 0 0	60 0 0	90 0 0	3 1 5	153 1 5
Smith, A. J., N.C., Second Assistant-Engineer.	420 0 0	35 0 0	156 6 8	...	191 6 8
Stewart, T. A., N.C., Leveller ..	360 0 0	30 0 0	70 0 0	...	100 0 0
Tetley, J. W., Clerk	228 0 0	76 0 0	57 0 0	3 1 5	136 1 5
Thorpe, J., N.C., Assistant Engineer.	525 0 0	175 0 0	131 5 0	3 7 6	309 12 6
Total. ...		1,428 15 0	1,360 17 4	15 13 2	2,805 5 6

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Total Compensation.
C.S.A.R. (O.R.C.)—ENGINEERING DEPARTMENT. Daily Paid Staff. 1903–07.—*Nil.* 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Ancell, J., Mason	0 19 6	12 13 6	...	...	12 13 6
Bennett, G. W. R., N.C., Chainman.	0 14 6	...	18 0 0	3 1 5	21 1 5
Boase, C., Mason...	1 0 0	14 0 0	...	...	14 0 0
Clarke, F., Carpenter	0 17 6	12 5 0	...	...	12 5 0
Cridford, J. H., Carpenter ...	1 0 0	14 0 0	...	1 2 7	15 2 7
Crossman, C., Mason	1 0 0	13 0 0	...	1 2 7	14 2 7
Dippenaar, H. J., Blacksmith...	0 18 6	12 0 6	...	...	12 0 6
Elmes, F. J., Mason	1 0 0	14 0 0	...	1 11 6	15 11 6
Grant, A., N.C., Chainman ...	0 13 6	...	14 3 6	3 1 5	17 4 11
Marais, D. A., Machinist ...	0 17 5	12 3 10	...	...	12 3 10
McPherson, J., Timekeeper ...	0 13 0	...	19 10 0	...	19 10 0
Morton, O. W., Storeman ...	0 13 0	...	19 10 0	1 11 11	21 1 11
Penna, G. L., Fitter	1 0 0	14 0 0	...	...	14 0 0
Smith, A. E., Plumber	1 0 0	14 0 0	...	...	14 0 0
Stone, A. M., P. W. I.	1 0 0	...	12 0 0	...	12 0 0
Trimmer, E. G., Mason	0 19 0	13 6 0	...	1 14 9	15 0 9
Vigurs, R., Mason	1 0 0	14 0 0	...	...	14 0 0
Total	...	159 8 10	83 3 6	13 6 2	255 18 6

Names (in alphabetical order) and Nature of Appointment.	Daily Pay.	Compensation Granted.	
		Gratuity in respect of Service.	Total Compensation.
C.S.A.R. (O.R.C.)—CHIEF ACCOUNTANT'S DEPARTMENT. Daily Paid Staff. 1903–07.—*Nil.* 1907–08.	£ s. d.	£ s. d.	£ s. d.
Dalton, A. J., Number Taker	0 9 0	41 8 0	41 8 0
Phair, S., Number Taker	0 11 6	52 18 0	52 18 0
Total	...	94 6 0	94 6 0

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Compensation in lieu of notice.	Total Compensation.
C.S.A.R. (O.R.C.)—CHIEF ACCOUNTANT'S DEPARTMENT. Salaried Staff. 1903–07.—*Nil.* 1907–08.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Barber, J., Clerk	168 0 0	42 0 0	...	...	42 0 0
Fraser, N. M., Clerk	252 0 0	63 0 0	63 0 0	21 0 0	147 0 0
Jones, T., Accountant	*375 0 0	...	...	...	...
McKenzie, C., Clerk	114 0 0	24 0 0	...	...	24 0 0
Total	939 0 0	129 0 0	63 0 0	21 0 0	213 0 0

* Pension awarded per annum, £133 10*s.* 4*d.*

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.	Compensation Granted.				
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Railway Fares and Steamship Passages.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C.)—STORES DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Salaried Staff.						
1903–04.—*Nil.*						
1904–05.						
CRAIG, J. C., First Stock Clerk	301 0 0	...	118 18 11	...	25 5 8	144 4 7
HAMPSON, G., Clerk, Grade III.	195 0 0	...	...	...	16 9 0	16 9 0
McLAREN, M. H., Clerk, Grade III.	204 5 0	61 1 10	...	...	17 0 5	83 2 3
PRIOR, A. J. Clerk, Grade II. ...	272 8 0	...	...	3 1 5	22 14 0	25 15 5
SALMON, H., Clerk, Grade III. ...	204 5 0	...	...	12 5 8	17 0 5	29 6 1
TOTAL	1,176 18 0	61 1 10	118 18 11	15 7 1	98 9 6	298 17 2
1905–06.						
GLOVER, R. T., Provision Clerk	*240 0 0	...	...	...	20 0 0	20 0 0
LOMBARD, C. J., Clerk, Grade III.	150 0 0	...	10 16 8	...	12 10 0	23 6 8
WILLIAMS, J. W., Clerk, Grade III.	200 0 0	...	33 6 8	...	16 13 4	50 0 0
TOTAL	590 0 0	...	44 3 4	...	49 3 4	93 6 8
1906–07.						
JOHNSTONE, F. M., Clerk, Grade II	234 0 0	...	43 11 0	3 1 5	19 10 0	66 2 5
TOTAL	234 0 0	...	43 11 0	3 1 5	19 10 0	66 2 5
1907–08.						
LOWRIE, H. H., Railway Storekeeper.	†764 16 0	...	63 6 8	3 1 5	...	66 8 1
SAUNDERS, A., Clerk, Grade III.	196 0 0	32 13 4	23 8 3	3 1 5	16 6 8	75 9 8
WOCKE, A., Clerk, Grade II. ...	231 0 0	117 0 0	57 15 0	...	19 5 0	194 0 0
TOTAL	1,191 16 0	149 13 4	144 9 11	6 2 10	35 11 8	335 17 9

Names (in alphabetical order) and Nature of Appointment.	Salary per annum at date of Retrenchment.	Compensation Granted.			
		Gratuity in respect of Service.	Cash equivalent for leave actually earned.	Compensation in lieu of Notice.	Total Compensation.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
C.S.A.R. (O.R.C.)—STORES DEPARTMENT.					
Daily Paid Staff.					
1903–04.					
JAMES, H., Clerk	156 0 0	...	...	13 0 0	13 0 0
1904–05.					
GILLESPIE, W., Storeman ...	125 4 0	...	...	10 12 0	10 12 0
JOUBERT, P. J., Clerk	125 4 0	...	...	10 12 0	10 12 0
PYKE, H., Storeman	156 10 0	...	...	7 0 0	7 0 0
WALT, VAN DER, N. T., Coalman	125 4 0	...	...	5 12 0	5 12 0
TOTAL	532 2 0	...	...	33 16 0	33 16 0

* Pension awarded per annum £44 6*s.* 8*d.*
† " " £358 8*s.* 4*d.*

Names (in alphabetical order) and Nature of Appointment.	Salary per Annum at date of Retrenchment.	Compensation granted.			
		Gratuity in respect of service.	Cash equivalent for leave actually earned.	Compensation in lieu of Notice.	Total Compensation.
C.S.A.R. (O.R.C.)—STORES DEPARTMENT.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Daily Paid Staff.					
1905–06.					
JONES, C. B.	179 19 6	...	...	4 0 6	4 0 6
1906–07.					
LAYLEY, F. G., Clerk	179 19 6	5 15 0	...	...	5 15 0
SIMPER, H., Storeman	179 19 6	7 6 0	...	8 1 0	15 7 0
WALTON, C. L., Clerk	195 12 6	7 10 0	3 1 5	8 15 0	19 6 5
TOTAL	555 11 6	20 11 0	3 1 5	16 16 0	40 8 5
1907–08.					
GLOVER, R. T., Coalman ...	156 10 0	5 0 0	...	7 0 0	12 0 0
PETERSON, C. H., Storeman ...	153 17 10	5 18 0	...	6 17 8	12 5 8
TOTAL	310 7 10	10 18 0	...	13 17 8	24 5 8
C.S.A.R. (O.R.C.)—SANITARY DEPARTMENT.					
Salaried Staff.					
1903–07.—*Nil.*					
1907–08.					
SMILES, J., Sanitary Inspector ...	215 0 0	53 15 0	53 15 0	17 18 4	125 8 4
SWART, P., Sanitary Inspector ...	225 0 0	56 5 0	56 5 0	18 15 0	131 5 0
VOGEL, A., Sanitary Inspector ...	213 0 0	53 5 0	53 5 0	17 15 0	124 5 0
TOTALS	...	163 5 0	163 5 0	54 8 4	380 18 4

STRAITS SETTLEMENTS.

REPORTS

ON THE

FEDERATED MALAY STATES

FOR

1906.

(*For Reports for* 1905 *see* [*Cd.* 3186] *October*, 1906.)

Presented to both Houses of Parliament by Command of His Majesty.
September, 1907.

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1907.

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STRAITS SETTLEMENTS

REPORTS

ON THE

FEDERATED MALAY STATES

FOR

1906.

THE HIGH COMMISSIONER to THE SECRETARY OF STATE.

(Received August 5, 1907.)

MY LORD, Government House, Singapore, July 10, 1907.

I HAVE the honour to forward for your Lordship's information copies of the Annual Administration Reports of the Resident-General and the several Residents in the Federated Malay States.

2. The progress of the States continues unchecked, the Revenue of the year, after providing for an expenditure of $3,221,761 on the Johore Railway, showing a surplus of $5,000,000. Part of this surplus is due to the saving on establishments due to the rise in the exchange value of the dollar, but there has also been a large expansion of the Revenue under almost every head. The high price of tin during the year led to a large increase in the receipts from the duty on that metal in spite of a falling off in production. With the increasing application of machinery to the lower grade mines the decline in production is not likely to be permanent, and with the continuance of a high level in prices there is no cause for alarm as to the future of the tin mining industry.

3. The planting of rubber has made great strides during the year, the area planted having increased from 38,000 acres, as stated on page 5 of the Resident-General's Report for 1905, to 100,000 acres, and the area alienated for rubber planting has doubled. As I anticipated in my despatch forwarding the Reports for 1905, a substantial beginning has already been made in rubber cultivation in Pahang, and I look forward to a rapid increase in the near future in view of the comparatively easy terms under which land can be acquired in Pahang.

4. The large increase in the applications for land has accentuated the pressure on the Revenue Survey departments of the States and the accumulation of arrears has become serious. I hope when Major Hills has completed his examination of the Survey work and organisation that means may be found of overtaking the arrears and keeping the Survey work reasonably up to date in future.

5. The influx of labour for Estate work continues to increase, but even if it were doubled there would be no lack of employment for the increase and I trust that the new arrangements contemplated by the Government in conjunction with the planters, which are referred to in the Resident-General's Report (page 16), will do something towards meeting the rapidly growing demand.

6. The increase in the labour population on Estates renders the question of health of even more importance than formerly, and the general body of planters fully recognise this. They would have preferred that provision for medical attendance and hospital accommodation should be provided by the Government and were quite ready to repay the cost. But now that they understand that the Government is not prepared to do this, they are taking steps to conform to the requirements of the law, and I do not anticipate that there will be any further trouble or cause of complaint in regard to this matter.

7. One of the most satisfactory features in the reports is the diminution of crime in spite of the growth of population. The policy of deporting men who are found to be practically permanent gaol birds has no doubt assisted to bring about this result, but the excellent work done by the police has also contributed to it in a large measure.

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8. The rapid increase in school attendance is also very satisfactory, especially as there is at the same time an increase in the school efficiency. Further provision for English education is being made by the erection of a large Government school at the important centre of Ipoh and extensions to the existing schools in Kuala Lumpur and Seremban, but the demand is increasing rapidly, and still further provision will have to be made in the near future. The success of the Malay Residential School established at Kuala Kangsar for boys of the Raja class is especially gratifying. I visited it during the year and was much impressed not only by the fluency and accuracy with which the boys spoke and wrote English, but also by the general air of keenness and intelligence and the excellent discipline which prevailed. The time has now arrived for placing it on a permanent footing, and a building with accommodation for 120 boarders, with adequate class rooms and appliances and a good play-ground attached, is now in course of erection.

9. The Resident-General refers to the interesting Report of the General Manager for Railways forwarded to you in my despatch of the 27th June.* The high standard of efficiency of that department has been well maintained in spite of the increasing demands upon it. The institution of motor services for the conveyance of mails and passengers to places not served immediately by the railway is a new development which is proving thoroughly successful. Besides the two services mentioned by the Resident-General, a third service between Klang and Kuala Selangor will be inaugurated on the 1st of July, and in September the department will take over the contract service between Kuala Kubu and Raub, Kuala Lipis and Bentong in Pahang. The question of supplementing the mail and passenger services by a service for the carriage of goods is engaging attention.

10. The policy of opening up Pahang by roads is being steadily pursued. The direct road from Kuala Lumpur to Bentong will I hope be finished this year and a motor service will be placed on it as soon as possible after it is opened. The other roads, from Kuala Pilah in a northerly direction to Temerloh, and the main road from Kuantan by the valley of the Blat across the Ulu of the Lepar, Luit, and Jimpol to a point on the Pahang River some eight miles north of Pulau Tawar and thence to Benta on the existing Pahang Trunk Road, are being pushed forward. A considerable amount of prospecting with satisfactory results is being done along the route of the last mentioned road, and the Resident is sanguine that it will open up some good mining land on the Lepar, the Luit and the Jimpol while as Your Lordship is aware there is already a considerable output from the Blat District. The outlay contemplated on these roads is considerable, in fact during the current year the special expenditure on roads, streets, and bridges in Pahang will be approximately equal to the whole Revenue of the State, but I am satisfied that the country is worth opening up and that the results will fully justify the outlay.

In the western states also a large programme of new roads to open up the agricultural and planting districts has been inaugurated after careful consideration by the Residents and the Director of Public Works and satisfactory progress is being made.

11. The Reports of the Residents will show Your Lordship that though the country is comparatively so new, questions of complexity and difficulty in connection with public health, water supply, lighting, and other problems arising from the growth of an urban population are assuming considerable importance. Much useful work in this direction is being done by the various Sanitary Boards and the Residents are all keenly alive to the vital importance of these matters.

12. That the Reports present results so satisfactory is due not only to the wealth of the resources of the States and the energy and enterprise of the people, Europeans as well as Chinese, who are exploiting these resources but also to the zeal, energy and ability of the Resident-General and the Residents and the various Heads of Departments. Not only do they never spare themselves in the public service but by their intelligent sympathy with the needs and wants of the people, European as well as Malays and Chinese and Indians, the administration is carried on with the minimum of friction.

I have, &c.,

JOHN ANDERSON.

The Right Honourable
The Earl of Elgin and Kincardine, K.G., G.C.S.I., G.C.I.E.,
&c., &c., &c.

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* Not printed.

FEDERATED MALAY STATES.

RESIDENT-GENERAL'S ANNUAL REPORT FOR THE YEAR 1906.

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FINANCIAL.

1. Judged by its revenue the year 1906 was an exceptionally prosperous one for the Federated Malay States. The total revenue collected amounted to $27,223,475, being $3,674,807 in excess of the estimate and $3,258,882 in excess of the revenue of 1905.

Revenue.

The revenue is made up as follows :—

Federal receipts	$6,506,160
Perak collections	10,572,076
Selangor collections	7,304,148
Negri Sembilan collections	2,279,957
Pahang collections	561,134
Total ...	$27,223,475

The Federal receipts include the revenue derived from Railways, Forests, and Posts, Telegraphs, and Stamps. The Federal receipts are apportioned to the four States, the revenues for the year of which with this addition are :—

Perak	$14,282,484
Selangor	9,803,184
Negri Sembilan	2,487,090
Pahang	650,717

Customs yielded $12,695,538, of which the export duty on tin accounted for $10,036,796. The increase in customs receipts as compared with 1905 was $967,230, the tin duty being responsible for $787,169 of this amount.

Land revenue (exclusive of land sales) produced $1,038,758, an increase as compared with the receipts of 1905 of some $150,000.

Land sales amounted to $373,956. The receipts under this head in 1905 were $191,307. The increase is due to increased receipts from premia on grants, the outcome of the rubber boom, and to larger receipts from premia on mining leases.

Licences, excise, and internal revenue, etc., contributed $4,709,898 to the total, against $4,041,279 in 1905.

Municipal revenue in the various States amounted to $733,309, an increase of $49,397.

Collections for port dues realised $22,213.

Under Federal receipts, Railways yielded $4,778,633, an increase over the receipts of 1905 of $734,965, and an increase as compared with the estimate of $678,633.

The Forest revenue produced $635,967, an increase of $24,039 as compared with the receipts of 1905.

Posts, Telegraphs and Stamps accounted for $437,486, the very large increase under this head being for the most part in stamps, much of it being from stamp duty on transfers.

Under Reimbursements there was credited the sum of $287,718, being the amount of the balances of the Widows and Orphans' Fund now transferred with its attendant liabilities to the Government of the Federated Malay States.

Expenditure.

The expenditure amounted to $18,899,425, a decrease as compared with the recorded expenditure of 1905 of $1,850,970. In the expenditure of 1905 there was included an exceptional sum of $1,349,505 paid to the Government of the Straits Settlements on account of the purchase by the Federated Malay States of the Malacca-Tampin Railway; and on the other hand there has to be added to the ordinary expenditure of 1906 a sum of $3,221,761 expended on Railway construction in Johore for the account of the Johore Government. With this last-mentioned amount the total expenditure on all services for 1906 amounts to $22,121,186.

The expenditure on Railways, exclusive of the "Johore" expenditure, amounted to $4,628,731; $726,356 thereof being on account of construction.

Under Public Works a sum of $2,042,657 was expended on works and buildings, $3,805,199 on the construction and upkeep of roads, streets and bridges, and $149,763 on irrigation works.

The total expenditure on Public Works and Railways of the Federated Malay States was $11,296,394, or, if the expenditure on construction through Johore be added, $14,518,155.

Personal Emoluments absorbed in 1906 a sum of $4,315,903, while the expenditure on "Other Charges" rose to $3,162,434.

Assets.

The values of the surplus assets of the several States of the Federation on the 1st January, 1907, calculated on the basis of a 2*s.* 4*d.* dollar, were Perak $14,722,258, Selangor $17,054,425, and Negri Sembilan $1,311,048. From these amounts have to be deducted the amount of the liabilities in excess of assets of the State of Pahang, aggregating $5,788,303, leaving the value of the assets of the Federation, on the basis of a 2*s.* 4*d.* dollar, $27,299,428.

The present value of investments and of loans of the nature of investments held by the Governments of these States, expressed in dollars at 2*s.* 4*d.*, is estimated at $18,465,470. This includes gold securities of the face value of £826,944 and Indian paper of the value of Rs. 6,226,200, the present value of which expressed in dollars at 2*s.* 4*d.* is estimated to be $9,707,920; but does not include the value (say $2,200,000) of the Government's Tanjong Pagar shares nor of the disbursements on account of the Government of Johore, aggregating some $5,000,000.

TRADE.

2. The aggregate volume of the trade of 1906, including specie and bullion, reached $131,758,931, an increase as compared with 1905 of nearly a millon dollars.

Excluding specie and bullion the aggregate was $123,726,024, equivalent to a sterling value at 2*s.* 4*d.* to the dollar of £14,434,701.

Imports.

The total value of imports, exclusive of specie and bullion, was $44,547,133, an increase over the imports of 1905 as recorded in dollars of $1,381,904, or as regards sterling equivalents of £790,715.

There was a falling off in the value of imports of the "A" Class, that is "Live Animals, Food, Drink, and Narcotics," the falling off being more than accounted for by the decrease in the value of imports of opium, a decrease of $1,421,000. Live animals on the other hand, showed an increase of $907,000, towards which cattle contributed $438,000, horses $97,000 and pigs $164,000. Tobacco and spirits also accounted for increases of $316,000 and nearly $146,000, respectively.

Under raw materials (Class "B") there was a net increase of $460,000, more than half of which was due to increased imports of petroleum.

There was again a large increase (nearly one and a quarter million dollars) in the value of manufactures (Class "C"), a large proportion being due as usual to increased imports of textiles.

GENERAL REPORT.

Exports.

The export trade amounted, exclusive of specie and bullion, to $79,178,891, an increase, as recorded in dollars, of $929,087 over the value of the exports of 1905 or, taking the sterling equivalents, an increase of £1,249,535.

Class "A" "Live Stock, Food, Drink, and Narcotics," shows a very marked decrease of nearly two million dollars. Towards this decrease all the chief articles in the class contribute with the solitary exception of tapioca. Sugar shows a falling off in quantity of 120,000 pikuls and in value of $1,137,000, padi a decrease in value of $607,000 and coffee $147,000.

Raw materials (Class "B"), representing as they do the real trade of these States, contributed some $\frac{15}{16}$ths of the whole amount of the export values.

Tin (304,000 pikuls) and tin ore (703,000 pikuls), while less by 9,000 and 86,000 pikuls, respectively, than in 1905, show an increase in value, due to the high prices that ruled throughout the year, of $1,650,000. The value of rubber exported increased from $529,000 to $1,855,436, an increase of $1,326,000. The value of timber exported shows a falling off of nearly $300,000 for which the smaller output from Pahang is mainly responsible.

Manufactures (Class "C") account for only $565,000 of the total.

The actual quantity of gold bullion exported is given as 20,714 oz., an advance on the exports of 1905 of 2,103 oz.

Still excluding the value of specie and bullion, the manner in which the trade is divided among the several States will appear from the following table :

———	Imports.	Exports.	Total.
	$	$	$
Perak	21,710,689	41,290,778	63,001,467
Selangor	23,598,469	26,963,358	50,561,827
Negri Sembilan	4,422,527	8,807,864	13,230,391
Pahang	1,194,921	3,770,325	4,965,246
Total	50,926,606	80,832,325	131,758,931

MARINE.

Port Swettenham.

3. One thousand two hundred and thirteen vessels other than native craft, with a tonnage of 489,545 tons, entered in 1906 at Port Swettenham, and 1,214 vessels, with a tonnage of 489,666 tons cleared from Port Swettenham during the same period. The aggregate tonnage of 979,211 tons shows an increase as compared with 1905 of 83,276 tons. The tonnage in 1902 was 612,813 tons, so that in a space of five years the tonnage of the port has increased upwards of 50 per cent. Of the ships that entered the port 14 were ocean-going steamers, whose registered tonnage varied from 1,950 to 3,619 tons.

The number of native craft entered and cleared was 653, of a total tonnage of 8,343 tons.

The imports into Port Swettenham during the period in question were valued at $22,568,616, while the exports therefrom reached a total of $26,665,424.

Port Dickson.

With the completion of the railway to Malacca there has been a decrease in the shipping trade of the ports of the Negri Sembilan, the returns for 1906 showing 870 vessels, of an aggregate tonnage of 250,927, entered, as compared with 985 vessels, of a tonnage of 282,592 tons in 1905.

Telok Anson.

A further decrease of shipping trade is reported at Telok Anson for the same reason as at Port Dickson. The steamers of the Straits Steamship Company maintain regular communication with the outside.

Kuantan.

At Kuantan, on the east coast, the shipping trade continues to develop, and it may be expected that when the entrance to this excellent harbour has been improved more ships will make use of the port than at present.

MINING.

4. The Senior Warden of Mines in his report on the working of the Mines department states that the mining revenue derived from all sources was $10,588,824 as compared with $9,689,501 in 1905. Of the increase of $899,323 the export duty on tin ($10,036,796) is responsible for $787,169 and premia on mining leases $102,049.

Tin.

This increased duty was collected from a smaller quantity than in the preceding year, the output for 1906 having receded to 816,786 pikuls, a decrease as compared with the output of 1905 of 39,874 pikuls.

The decrease of 39,874 pikuls was made up of 1,540 pikuls of block tin and 38,333 pikuls of tin ore, the output of 816,786 pikuls having consisted of 306,748 pikuls of block tin and 510,038 pikuls of tin ore.

The output from the several States was :

Perak	435,909 pikuls
Selangor	268,624 ,,
Negri Sembilan	77,765 ,,
Pahang	34,448 ,,

The output of 1906 approximated in quantity to the output of 1896, the figures being :

1896	815,000 pikuls
1906	816,786 ,,

but whereas the average price in 1896 was $32 in 1906 it was $89·60.

Prices fluctuated from $80·25 to $102·50 the pikul, the former figure having been reached on the 6th March and the latter on the 16th May.

The average local sterling value was £175 12*s.* 3*d.* a ton, as compared with £138 10*s.* 5*d.* in 1905.

The highest price in the London market was £215 a ton in May and the lowest £161 10*s.* in March.

According to the census taken as usual in November and December, the total labour force actually employed was 212,660, a net increase as compared with 1905 of only 3,646. In Perak the force increased by 8,187, and in Pahang by 766, whereas in Selangor and Negri Sembilan there was a decrease of 2,936 and 2,371 respectively.

As usual, the proportion of labourers on tribute increased while the numbers engaged in other forms of mining show a falling off. The so-called contract labourers were reduced in number from 63,500 in 1905 to 59,259, the "wages" force from 30,472 to 27,519, and the workers on tribute increased from 114,952 to 125,882.

The distribution was as follows :

Open-cast mining	163,104
Underground	20,369
Lampan working	29,187

Indian and Javanese labourers are now employed in considerable numbers ; in Perak alone there were employed close on 8,000 labourers other than Chinese.

The average output for each labourer still further decreased during the period under review to 3·83 pikuls valued at $344, the corresponding figures for 1905 were 4.09 pikuls valued at $331, and for 1904 4·44 pikuls valued at $340.

The number of boilers at work in connection with mining last year was 781, of which Perak had 412, Selanger 280, Negri Sembilan 71, and Pahang 18.

Five hundred and thirty-nine licences and 670 sub-licences, under the Mineral Ores Enactment, were issued. The number of men engaged in purchasing ore and in smelting was 3,210.

While the area of mining land increased by 6,285 acres, and large profits were realised on the tin produced in 1906, the output in all four States shows a falling off. In respect of Perak and Pahang an explanation is forthcoming of a satisfactory nature. In Perak it is said that two large companies for good reasons in connection with future development put out 14,000 pikuls less, and another large producing mine was in process of transformation from underground to open-cast. In Pahang the Pahang Corporation's mines at Sungei Lembing temporarily closed down, but the Pahang Corporation and Pahang Kabang have been taken over by the Pahang Consolidated, and operations will doubtless be resumed on an extended scale before long.

In Negri Sembilan the outlook is not promising, and a decreased output appears to be not unlikely.

The Senior Warden is of opinion that the year 1906 was a satisfactory one for tin miners. Though the output decreased the value of the tin produced increased by some four million dollars, and extensive building operations were going on at all the principal mining centres mainly from the profits realised by the industry.

GENERAL REPORT.

Gold.

The gold-mining industry was not in a prosperous condition during the year. The total production was 11,580 oz., of which 10,089 oz. came from Pahang, 434 oz. from Negri Sembilan, and 1,057 oz. from Perak.

The Raub Mines yielded 9,952 oz., and Batu Bersawah 434 oz.

GEOLOGIST.

5. Mr. Scrivenor reports that his year's work consisted of four months' office work at Kuala Lumpur and eight months in the field, nearly six of the latter having been spent in Pahang.

The results for the year have been embodied in his Report of Progress for the period September, 1903, to January, 1907. This interesting report has been published separately.

The two principal journeys made by him were the ascent of Gunong Tahan (7,050 feet), on the Pahang-Kelantan border, in May, and a journey up the Tembeling River into Kemaman and on to the East Coast in July.

CHINESE AFFAIRS.

6. The Secretary for Chinese Affairs in reporting upon the working of the Chinese Protectorates in 1906 says that the number of Chinese who came to these States during the year exceeded by 25,000 the number who departed. On the other hand, there were 11,500 deaths, so that the Chinese population would appear to have increased by 13,500.

Practically all Chinese labour in these States is what is known as "free" labour—that is, not under contract for a period of more than one month.

Secret societies gave very little trouble during the year, a fact that is alluded to by the Commissioner of Police as well as the Secretary for Chinese Affairs. The old dangerous societies are as extinct in the Federated Malay States as they are in the Colony, and Mr. Barnes, in commenting on this, says:—

> "In the old days when the Government was very little in touch with the Chinese these societies were of the greatest value to ignorant coolies; their disappearance is chiefly due to improvements in the Police Forces and in administration generally which have rendered it far less necessary for the ordinary Chinaman to have a powerful friend in need."

Three hundred and eighty-eight men, the most of whom were dangerous or habitual criminals, were banished from these States during the year.

Four thousand seven hundred and ninety-one chests of opium were imported, a number in excess of the imports of 1905. The average cost of a chest of opium in Singapore was $775, and the duty payable on importation here is $560, so that every chest brought in cost not less than $1,335.

Towards the end of 1906 there was a sharp drop in imports of opium due to an active and energetic anti-opium crusade. Different opinions are expressed by different authorities as to the value and lasting effects of the movement, and as to the merits of the so-called cure; one thing, however, appeared to be fairly well established, that it is not difficult for an opium smoker to give up the use of the drug.

In connection with the letting last year of the new Negri Sembilan General Farm, limitations were imposed upon gambling in that State, and an Enactment has been introduced prohibiting gambling in the Coast districts.

AGRICULTURE.

7. In his report the Director speaks of the year ended the 31st December last as having been:

> "A prosperous and in some directions an exceptionally progressive year for agriculture in the Federated Malay States. The fact that the climate is so equable causes a constant, active growth of vegetation, and consequently all our crops—whether annual or perennial—show much greater progress than the same plants during the same time in a country like Ceylon or South India where prolonged periods of extremely small or absolute lack of rainfall cause temporary cessation of growth."

The feature of the year has been the extension of rubber cultivation. The Director in his report for 1905 estimates the area alienated for rubber cultivation at 100,000 acres and the area planted at 50,000 acres. For 1906 he gives the area alienated as about 200,000 acres and the total area planted as 85,000 acres and the number of trees ten millions; the number of estates was 242, and the quantity of dry rubber extracted 861,622 lb.

The average quantity of dry rubber is stated to have been 1 lb. 13 oz. a tree. Many of the trees are 10 years old and some are over 20. Even so, this average is a high one and means big profits, if maintained. The trees vary from 50 to the acre to 440; on more than a third of the area planted the number is 200 or more to the acre.

Planters have begun to realise the insufficiency of the room hitherto given to the trees, and the practice is becoming general of wider planting—in avenues 24 feet by 30 feet or 20 feet by 17 feet.

General Report.

The general health of the rubber trees was excellent. Disease appeared in nurseries and attacked some of the older trees, but no large number of cases occurred nor was a large percentage of trees affected except on two or three estates.

The Director does not appear to think that any hard and fast rule as to distance can be laid down, the distance apart depending on situation, soil, rainfall and other factors.

Mr. Carruthers' experience in inspecting and reporting on land intended for planting leads him to form the opinion that there are very large areas available quite as well, or even better, suited for rubber cultivation than the land already taken up. During 1906 a larger area was planted in Perak than in any of the other States, an entirely new district having been opened in Lower Perak, where rubber is growing quite as well as in the more popular districts.

Prices fell somewhat in 1906 as compared with 1905, but the fall was due to ordinary market conditions and affected all qualities of rubber.

A good deal of attention is now being given to the form in which rubber is prepared for the market, and buyers appear disposed to prefer what is known as block rubber, first prepared in this form on the Lanadron Estate in Muar last year, to the forms hitherto in vogue—viz., sheet, crêpe and biscuit.

According to Mr. Carruthers the labour force on estates, or connected therewith, numbered 38,360, of whom 29,358 were Tamils, 4,070 Javanese, 3,533 Chinese and 1,499 Malays. Some of the Chinese were only temporarily employed in building, road-making and such like.

Cocoanuts.

The area under cocoanuts is estimated to have increased by only five per cent. in 1906, the approximate average being put by the Inspector of Cocoanut Plantations at 105,000 acres, of which rather more than one half is in Perak, some 30,000 acres being in Lower Perak.

The damage done by beetle pests during the year was insignificant in Perak and Negri Sembilan but was considerable in Selangor. Some injury was done to native plantations in Lower Perak and in the Coast district of Negri Sembilan by bears.

Prices of cocoanuts and copra ruled high during the year and the cultivation was a remunerative one. About 16,000 pikuls of copra passed through the Selangor Oil Mills at Kuala Selangor, of which about one half was made on the premises.

Coffee.

The acreage under coffee decreased considerably. Prices remained satisfactory, and were it not for the fact that the cultivation of rubber almost monopolises attention the cultivation of coffee would probably be on the increase in place of being wiped out as will shortly be the case. The crop is stated to have been 22,291 cwts. from 9,708 acres, the average being light owing to a great deal of the coffee having rubber planted through it.

Padi.

The cultivated land under padi was about 83,000 acres.

The Krian Irrigation Works were completed during the earlier part of the year and were formally opened in August. These works, the construction of which extended over 8½ years and cost $1,600,000, have proved quite successful. The summer and autumn of 1906 having been one of the driest seasons known in the Federated Malay States an exceptional opportunity was afforded of testing the value of these works. Notwithstanding that the rainfall during the planting season was 8 inches less than in the bad season of 1902 and 20 inches less than in the good season of 1904 the padi harvest in the irrigation area was but little below the average.

In connection with this irrigation area experiments are being carried on at Bagan Serai with a view not to effect a radical change in the existing methods of cultivation but to show to padi cultivators how existing methods may be improved and crops increased. These experiments are being carried out under the supervision of the Irrigation Engineer and the Assistant District Officer under the supervision of the Director of Agriculture.

Elsewhere, with the exception of Kuang in Selangor and North Perak where insect pests did much damage, crops were fair, the straw as well as the grain showing vigour and health.

Camphor.

Experiments have also been carried on during the year, with satisfactory results, in the direction of the propagation of camphor from cuttings. The growth of the plants and trees at the Experimental Station at Batu Tiga compares favourably with results obtained in Ceylon at higher elevations, which are supposed to be more suitable for camphor cultivation. Camphor is not suggested or recommended for planting in large areas, but prices are high and profits are large.

Eradication of lalang.

Experiments, attended with a fair measure of success, have been pursued for the eradication of lalang by spraying with arsenite of soda was found to be effective if properly applied.

Experiments and observations were carried on during 1906 by the Director with a view to the discovery of a suitable leguminous plant on rubber estates to take the place of weeds which grow so luxuriously and cost so much—about $2 an acre per mensem—to eradicate. Mr. Carruthers appears to think that he has found such a plant in Mimosa pudica, a native of Brazil, but acclimatised and growing luxuriously here. His remarks on the subject are extremely interesting.

Appointment of Chemist, Entomologist and Mycologist.

During the latter part of the year under review a Chemist and an Entomologist arrived from home and were attached to the Institute of Medical Research. These officers, in addition to the work which they undertook for the Institute, performed valuable work for the Agricultural Department, the Chemist's attention being directed mainly to the problem of the manufacture of carbon bisulphide in an apparatus that could be utilised on estates without expert supervision, and the effect on vegetation of arsenical and sulphur fumes from tin roasting; and the Entomologist having been engaged in dealing with a padi pest which did much damage to the crop at Kuang in Selangor.

A Mycologist has also been appointed, but this officer has only recently joined.

Ceylon Rubber Exhibition.

The Director went in September to the Rubber Exhibition in Ceylon as representative of the Governments of the Federated Malay States and the Straits Settlements.

Much valuable information was afforded by the exhibition in question, the most important points established being the preference shown by buyers for rubber prepared in block form and the fact that rubber trees will grow vigorously and produce rubber of high quality at considerable elevation above sea level.

Agricultural show, Singapore.

Earlier in the year an Agricultural Show was held at Singapore at which Perak was largely and the other States well represented.

FORESTRY.

8. Mr. Burn-Murdoch returned from leave in February and resumed duty as Conservator, taking over the administration of the department from Mr. A. B. Stephens.

Expenditure.

The expenditure of the department in 1906 amounted to $269,659.

Revenue.

The actual Forest revenue collected amounted to $409,725, a decrease as compared with the collection of 1905 of $31,584. The share of the opium duty credited as Forest revenue to compensate for the royalty on timber and firewood taken free by miners amounted to $189,274, making the total revenue of the department $598,999.

Perak is the only State in which there was an increase of revenue. There was a decrease in the other States, considerable in both Selangor and Negri Sembilan and very marked in Pahang. The decrease in the royalty on timber in Pahang, which accounts for most of the falling off as regards that State, is attributed to the fact that in Kuantan district, the centre of the timber industry, most of the chengal within easy reach of the streams has been extracted.

Reserves

209·2 square miles were added to the reserved Forest area and 33·8 square miles were cut out, the net increase of area having been 175·4 square miles. The addition was in all four States—7·7 square miles in Perak, 49·5 square miles in Selangor, 7·7 square miles in Negri Sembilan and 110·5 square miles in Pahang.

Expressed in acres the net addition to Forest reserves was 112,352 acres and the total reserved area was brought up to 418,077 acres.

In Selangor good progress was made, while in Pahang reservation was for the first time effected.

The extent of land proposed to be added to the reserved area is approximately 281,650 acres, of which over 110,000 acres are in Negri Sembilan awaiting survey.

Working plans.

No addition was made to the areas for which working plans had been prepared. These plans cover an area of 65,004 acres in Perak (islands only), and 21,233 acres in Selangor (Klang islands).

The sale by auction of the 1906 coupes realised an average price of $3·11 an acre as against $3·48 in 1905; certain coupes were reserved for the Railway whose contractors paid royalty on the firewood extracted.

The experimental extraction of timber by the department in Pahang was commenced, but the timber extracted had not been transported to Singapore at the close of the year.

GENERAL REPORT.

Protection. The protective staff of the department showed considerable activity in the performance of its duties, the percentage of convictions showing an improvement; 1,222 cases of offences against the Forest laws were taken into Court and resulted in 1,028 convictions.

Natural Reproduction. Penak is reported to have "fruited" well in Pahang and in Kuala Pilah district, merbau is also said to have "fruited" well in Negri Sembilan.

The absence of young saplings and young trees of chengal (penak) is everywhere reported, and goes to support the opinion already expressed as to this valuable wood. It appears certain that chengal must be planted on an extensive scale as its natural reproduction is probably more feeble than that of any other forest tree.

Artificial Reproduction. A sum of nearly $20,000 was expended on the Pondok Tanjong plantation, its condition being greatly improved and preparations made for a commencement of tapping of the rubber trees this year. Besides para rubber this plantation contains rambong, chengal and merbau.

A sum of $1,770 was spent in connection with the Taiping rubber plantation, where some 1,000 trees were tapped and the produce sold, but the proceeds had not been credited at the end of the year.

Seed to the value of $2,030 was disposed of from the Pondok Tanjong and Taiping plantations.

The Parit plantation of 41 acres was sold by public auction, and the experimental rubber and camphor plantation at Kuala Lumpur was handed over to the Agricultural Department.

Some progress was made with the planting of young getah taban (palaquium) stumps; and the areas planted with casuarina did fairly well.

Cultural Operations. Improvements and extensions on the usual lines were carried on in the Trolak and Rantau Panjang (getah taban) reserves.

Tapping experiments were made on standing getah taban trees in the Perak waterfall area with results that are stated to be satisfactory. As much as $15\frac{1}{2}$ oz. pure gutta-percha was obtained from one tree, 54 inches in girth, and 1 lb. $3\frac{3}{4}$ oz. from another, $59\frac{1}{2}$ inches in girth.

The progress made in cultural operations in other localities was good but was specially noticeable in the Negri Sembilan.

Exploitation. The reserves exploited were the mangrove reserves in Perak, Lumut Island in Selangor and the casuarina plantation at Kuala Lumpur. In Perak the output was 50,032 tons of firewood and 129,554 poles for fishing stakes, in Selangor the output was 15,724 tons from Pulau Lumut and 49 tons from the casuarina plantation.

From State lands licensees extracted 70,023 tons of timber, 136,678 tons of firewood and 36,271 tons of charcoal. The output of timber increased in Perak and fell off in the other States. Perak also may soon be expected to show a decrease owing to the alienation of accessible forests.

Eighty-six thousand five hundred and eighty chengal and 25,763 merbau sleepers were extracted and delivered to the Railway Department.

In last year's report it was mentioned that the lines on which the Conservator of Forests has hitherto based his estimate of timber and fuel allowed free to miners probably led to an exaggerated estimate. For the year 1906 the Conservator of Forests based his estimate on the number of engines used in mines and their known horse-power, on this basis his estimate comes to 400,491 tons, not much more than one-half the estimate as prepared on the former basis. The royalty on the larger estimate the Conservator of Forests estimates would amount to $361,060; on the smaller estimate it would be $200,245. If this latter estimate be approximately correct it would seem that the share of the opium duty assigned to the department in lieu of royalty does not fall far short of the value which it is taken to represent.

LANDS AND SURVEYS. 9. From April the title of the Commissioner of Lands and Mines, who had ceased for all practical purposes to have any connection with the Mines Department, was changed to that of Commissioner of Lands and Surveys, the appointment being placed as regards the Revenue Survey Departments in a position analogous to that occupied in respect to the Land offices, with the object of bringing all the Revenue Survey Departments up to the standard of the Selangor Department and of securing uniformity of administration and system.

The Commissioner was given a Technical Assistant to help him in his supervision of the Survey Department, and for the post thus created Mr. Darke, an experienced and skilled member of the Selangor Revenue Survey staff, was selected. It was also arranged that lithographers and instrument repairers should be attached to the office with a view of centralising and reducing the cost of certain necessary works in connection with the service.

Lands.

The Commissioner reports that the land alienated on permanent titles, and assumed to be in occupation at the end of 1906, is estimated at 1,231,157 acres, which even when added to the land under reserve forms but a small part of the area available for alienation in these States. The area alienated comprises 14,561 town lots, 155,096 portions of agricultural land, containing 951,113 acres, and 12,214 portions of mining land covering 276,685 acres. This is a decrease in mining land, due to extensive resumption for breach of conditions. The Commissioner ventures the opinion that one-third of the agricultural area will in the near future be put under cultivation in rubber.

Three hundred and ninety-five town lots, 149,122 acres of agricultural land and 25,637 acres of mining land were alienated during the year, and there reverted to Government, for various causes, 230 town lots, 3,708 acres of agricultural land and 40,983 acres of mining land.

Areas under cultivation.

The Commissioner puts the area under padi at 62,800 acres, gambier 25,850 acres, sugar 16,000 acres, rubber 79,550 acres, coffee 16,000 acres, tapioca 12,720 acres and cocoanuts 38,330 acres. The Commissioner's figures are obtained from the Land officers and differ a good deal from the estimates of the Agricultural Department; the only serious discrepancy is in respect of cocoanut cultivation, the Inspector putting the area under cultivation at nearly three times the Commissioner's estimate.

Padi crop.

The Commissioner confirms the opinion of the Director of Agriculture as to the padi crop generally having been a fair one, and bears testimony to the good results achieved by the Krian Irrigation Works.

Land Revenue.

The total revenue collected by means of the Land offices was $1,437,753.

Revenue Survey.

Great pressure was put on the Revenue Survey Departments in all the States owing to the demand for land for rubber cultivation and applications for mining land due to the high price of tin. Considerable difficulty was experienced in consequence, the staff of the department being unequal to cope with the increased demands made on them, and the supply of qualified men available being limited.

During the year nine surveyors, holding licences from the Australian or New Zealand Governments, were engaged on three years' agreement. Of these two resigned within a few months.

Negri Sembilan Survey.

The work of the Negri Sembilan Revenue Survey was found to be in an unsatisfactory state, and much time and a good deal of work will be required before matters are placed on a satisfactory footing. Practically a re-survey will, it is understood, be necessary. The officer who was Superintendent retired on pension owing to ill-health; his place was taken temporarily by Mr. Darke, who continued in charge, in addition to his duties as Survey Assistant at head-quarters, till the end of the year.

Progress made.

The work performed by the Revenue Survey officers was of a high class for the most part, and very considerable progress was made with the work in hand, having regard to the shortness of the staff.

Kinta Revisionary area.

The Commissioner comments on the action of the Perak authorities in opening the books in Kinta before the completion of the revisionary survey, or at least till it was brought nearer to completion. He fears that if there follows any great demand for land the difficulties of the Survey Department will be augmented.

He also comments on the misleading character of the title "Revenue Survey":

> "The department is not a revenue-earning, self-paying department, nor was it called into existence for the sole purpose of making surveys for the preparation of a rent-roll. The present work is essentially that of a property survey, and is executed for the purpose of fixing the boundary lines of public and private lands and of obtaining the information necessary to describe such lines and locate them on the public map. A secondary but less important object is that of obtaining such information as will facilitate the preparation of a topographical map."

A very complete set of regulations and instructions for the guidance of the department was prepared in the department and considered at a conference of Residents in

GENERAL REPORT.

December. They have not yet been published, but meantime the main provisions thereof have been introduced into, and are being carried out in, the three western States.

The expenditure of the Revenue Survey Departments in 1906 amounted to $512,821, being $157,820 less that the estimate. Some portion of this difference is due to fixity of exchange and the 2*s.* 4*d.* dollar, and some of it to vacancies on the establishment remaining unfilled.

The revenue collected is said to have been $194,295, survey fees realising $133,697, demarcation fees $35,156 and reimbursements (sale of boundary marks and maps) $25,442.

TRIGONOMETRICAL SURVEY.

Pahang.

10. The staff of the Trigonometrical Survey was strengthened by the transfer of surveyors from the Revenue Survey and Railway Department and by the appointment of three qualified surveyors from New Zealand. The report of the Chief Surveyor shows a record of a good deal of work performed, the most of it having been in the State of Pahang—

> "where the beaconing of a broad chain of major triangulation, covering more than the middle third of the State, was completed with the exception of one point, Gunong Tapis. In the course of this work preliminary observations and hill sketches were made from several stations, several minor points were chosen, cleared and beaconed, and a considerable mileage of stream and path topography surveyed by assistant surveyors with the object of compiling a preliminary sketch map on the scale of four miles to an inch."

Perak

In Perak work was limited, practically, to the fixation of three new major and two minor stations in the Ulù Plus and some topographical surveys in the Ulu Plus and Upper Perak.

Selangor.

In Selangor minor triangulation was continued where required for Land Office purposes, together with some river topography.

Negri Sembilan.

In Negri Sembilan operations were resumed in the last quarter of the year to provide fixations by minor triangulation for Land Office purposes, and some river topography was carried out with the object of compiling a revised sketch map.

Expenditure.

The total expenditure of the department in 1906 was $118,011, of which the Chief Surveyor estimates that $85,242 may be debited to the account of the operations in Pahang.

INDIAN IMMIGRATION.

11. The year 1906 was a record year in respect of the immigration of labour from South India. The number of immigrants from South India that arrived at Penang, the port of disembarkation for these States, was 52,041. Some 31,500 of these went on from Penang to these States, the actual numbers and the classes to which they belonged being:

Statute immigrants	2,778
Unindentured labourers	19,817
Others	9,000

The number of passengers from Penang to South India during the same period was 21,879. Of these it is estimated that some 9,000 came from the Federated Malay States. The excess of arrivals over departures would therefore be about 22,500.

The Superintendent puts the total number of Indians now in these States at 95,000.

The regular fortnightly service between Penang and Negapatam and Madras was maintained, the vessels employed on the run being the British India steamers "Thongwa" and "Teesta," large, well-fitted ships, admirably suited for the service. The average number of passengers brought to Penang by these steamers was 1,788; the average number taken from Penang to India was 875. In May, June and July other steamers of the British India service were employed to supplement the regular service and carried between them 5,556 passengers. Passengers by these steamers for Selangor and Negri Sembilan were transhipped, as a rule, at Penang, to the s.s. "Kistna" or "Kapurthala" of the same Company and so taken on to Port Swettenham. In some instances, the importing ships called at Port Swettenham on their way from Penang to Singapore and transhipment was thereby saved.

Aided passages.

The number of State-aided passages for labourers emigrating from South India to the Federated Malay States was 26,605—rather more than double the number issued in the preceding year.

Free tickets, to the number of 758, were given to persons of the agricultural class, 640 of whom came to these States.

Four thousand five hundred and four free tickets were issued to the United Planters' Association and 1,330 to the Malay Peninsula Agricultural Association, at a cost of $46,491, for the transport of unindentured labourers.

Statute or indentured immigrants.

During the year 5,286 males and 1,181 females were presented at the emigration depôt at Negapatam. Of these 2,937 males and 737 females were passed as fit for work on sugar estates; 2,778 of these came to the Federated Malay States. One thousand and sixty-nine of these were employed by the Public Works Department and 1,709 on estates.

Unindentured labour.

As mentioned above the number of unindentured labourers introduced into these States in 1906 was 19,817, a large increase as compared with 1905 when 7,543 arrived. About 15 per cent. of these immigrants were females.

By far the largest number of these went to Selangor, where 15,920 are supposed to have found employment.

Health of immigrants.

A very important matter in connection with immigration is the question of health. Careful observation is possible in respect of the statute or indentured, and with respect to these the result is not wholly satisfactory. The estates on which indentured labour is employed are for the most part in Perak, and while it is so far satisfactory that a substantial increase of the indentured population has been accompanied by a decrease in the death-rate, the general conditions prevailing on more than one of these estates was not satisfactory. Out of a total population of 3,515 there were 289 deaths, including 31 cases of cholera, of which there was an outbreak on one estate about the middle of the year. Excluding the cholera cases the death-rate was 7·34 per cent., a marked improvement on the rate for 1905 but still much higher than it should be. As usual the largest proportion, some 70 per cent., of the deaths are due to bowel complaints. The subject is occupying the careful attention of the officers of the Immigration Department, who will do all in their power to induce estate owners and managers to improve the health of their labourers. The essential factor in the gradual elimination of disease would appear to be a good and sufficient water supply, and every possible effort must be made to secure this.

Elsewhere than in Perak, and everywhere in the service of the Public Works Department, the health of the indentured immigrant has been good.

Provision of estate hospitals.

In Selangor and Negri Sembilan, where the majority of unindentured immigrants are employed, the health was generally good in the first half of the year, but later there was a great deal of sickness, more particularly on newly opened estates in certain districts, fever and dysentery being the chief complaints. Serious cases were sent to and treated in the Government hospitals, additional accommodation having been provided as a consequence in some instances. Far too many of the cases were removed to hospital too late for effective treatment. This is due to more than one cause, to the want of a skilled person on most of the estates capable of diagnosing cases and affording relief, the distance of many of the estates from the hospitals, and the more than reluctance of the Tamil labourer to be sent to the hospital. The law imposes on employers the duty of providing hospital accommodation on estates, and while no unnecessary requirements should be made of those responsible they must be made to comply with the law and make suitable provision for the treatment of their sick labourers. There should be available on, or in close proximity to, every estate the means of treatment in all cases, the more serious cases being removed to the Government hospitals, where possibly better attention could be given to them than in the estate hospitals.

Remittances by Indians.

The Superintendent quotes some figures regarding the dealings of Indians resident in these States with the Postal Department which go far towards explaining the recent apparent popularity with the labourers of South India of service here. The number of accounts in the Savings Bank to the credit of Indians was 2,101, representing a sum of $263,394, of which it is known that 359 accounts, representing $21,321, belonged to persons of the coolie class. The remittances to India, by means of postal money orders, in 1906 amounted to Rs. 2,004,655, an increase as compared with 1905 of Rs. 605,696.

Tamil Schools.

Fourteeen Tamil vernacular schools, with an average attendance of about 450, are in existence, of which four are mission schools and 10 are maintained by Government.

Resident-General's visit to India.

In October last I proceeded, under instructions from the High Commissioner, to South India to enquire into the arrangements at the Government Depôt at Negapatam and its relation with the work of procuring and forwarding labour. A report on this visit has been submitted, and certain recommendations therein have been approved, following on which measures are now being taken for the construction at Negapatam of a fully equipped depôt for unindentured emigrants, with accommodation for 800 persons, and capable of being extended to accommodate a much larger number ; the question of a camp at Madras is being pursued, and measures will be taken to extend recruiting for labour in the neighbourhood of Madras, as well as to exploit the Telugu districts to the north of Madras ; the construction of a small depôt at Port Swettenham to be used for coolies on arrival ; it has been arranged that the Superintendent of Indian Immigration shall be relieved of all other duties but those connected with immigration, remaining as at present with his head-quarters at Penang, and with a Committee, partly unofficial, to assist him in advising the Government on matters connected with immigration ; a Government Emigration Agent, a member of the Civil Service, who will reside in India, has been appointed ; and tenders have been invited for a weekly service of steamers between Madras and Negapatam and the ports on this side with reduced rates of passage money.

LEGISLATION.

12. Nine Enactments were passed in similar terms for the four States of the Federation—namely, The Savings Bank Enactment, The Pensions Enactment, The Government Officers' Guarantee Fund Amendment Enactment, The Chandu Shops Enactment, The Sanitary Boards Amendment Enactment, The Registration of Titles Amendment Enactment, The Morphine Enactment, The Revenue Farms Amendment Enactment, and the Land Amendment Enactment.

The Medical Registration Enactment was prepared for all States and was passed in Selangor, Negri Sembilan and Pahang. Its provisions were subsequently held to be inadequate and a new draft has been submitted by way of repeal and re-enactment.

The Suppression of Gaming Enactment, which constitutes an important departure from the attitude previously taken in the Federated Malay States with regard to public gaming, was also prepared for all States. It is devised to come into operation in such districts of each State as may from time to time be proclaimed. The object and provisions of the Enactment have had the exhaustive consideration of the Government, and it was passed in Selangor and Negri Sembilan before the close of the year.

The Volunteer Enactment was passed in Perak and Selangor.

Other Enactments having reference to the requirements of particular States were passed as follows :—

In Perak only—

The Civil Procedure Code Amendment Enactment ;

In Selangor only—

The Electric Supply Enactment, for the regulation of matters concerning electrical installation made by Government in the town of Kuala Lumpur ;

In Pahang and Negri Sembilan only—

The Succession to Land Repeal Enactment ;

In Pahang only—

The Labour Amendment Enactment, for the better regulation of certain matters in connection with hospitals established by employers of labour ;

The Slavery Regulations Repeal Enactment, for the purpose of removing all doubt as to the extinction of certain temporary rights allowed by the repealed Enactment, and of putting beyond dispute that all persons in the State enjoy full rights of freedom.

POLICE.

13. The Police Force consisted of 2,665 of all ranks, of whom 1,339 were Indians (Jat Sikhs 951, Pathans 192, Punjabi Muhammadans 158, and Hindus 38).

The expenditure on the Force amounted to $846,253, of which a sum of $638,205 was in respect of Personal Emoluments.

GENERAL REPORT.

Recruiting.

Recruiting for the Force was on the whole satisfactory, a large number of Indians and a good number of Malays having offered themselves for enrolment. A feature of the recruiting is the very small number of Malays from Perak, the most populous of these States, who join the Force.

Depôt.

The Depôt at Kuala Lumpur maintains the object with which it was started, the training of recruits in police work and drill before being drafted off to the various stations.

Malay recruits are instructed daily at the Depôt in reading and writing ; and Indian recruits are required to pass a simple colloquial examination in Malay before being given the full pay of constable. A large number of men have passed the qualifying examination in colloquial Malay and also the examination in reading and writing for the bonus offered.

Discipline.

The discipline of the Force was on the whole good, and the Commissioner of Police testifies to the generally satisfactory work of all ranks.

Musketry.

Two thousand two hundred and eighty-six non-commissioned officers and men are reported to have fired the muskety course.

Criminal Registry.

The Commissioner dilates on the satisfactory working of the Criminal Registry Office, and is disposed to attribute the decrease of serious crime everywhere evident to its establishment.

Detectives

The detective branch did some good work during the year. It is difficult to get suitable men to serve in this branch of the Force.

Crime.

In the year ended the 31st December last the reports numbered 33,452 and discoveries 25,444—a decrease as compared with the preceding twelve months of 631 reports and an increase of 1,358 discoveries. The improvement shown extended to all States except Negri Sembilan, where there was a slight falling off. The percentage of discoveries to reports is 76·4 or excluding labour offences 85·2.

Serious Crime.

In serious crime there was a steady improvement, a reduction of 325 reports and an increase of 88 discoveries.

Thirty-eight murders were reported and discoveries were made in 30 cases.

There has been a very marked decrease in cases of house-breaking, highway robbery and serious thefts ; and an appreciable reduction in the number of gang robberies. The Commissioner puts up with his report a statement of reports and discoveries of murder, homicide, gang robbery, highway robbery, house-breaking and robbery, from which it would appear that while in 1897 there were reports to the number of 1,735 with 486 discoveries, the reports in 1904 were 1,119 with 372 discoveries, and in 1906 the reports fell to 658 with 278 discoveries.

Deportation.

Four hundred and eleven persons, of whom 387 were Chinese, were deported in 1906. Seven of the Chinese were deported from Pahang as being members of a secret society.

Veterinary Police.

The small Veterinary Police Force, authorised in connection with the estimates of last year, did good work, better results having been realised than was anticipated. The Force, the strength of which is three sergeants, four corporals and 28 constables, is under the orders of the Veterinary Surgeons for work and of the Chief Police Officers for discipline.

Fires.

Eighty-six fires were reported to the Police in the course of the year, involving the destruction of 287 houses and loss of property estimated at $126,962.

Destruction of "Noxious" Animals.

Rewards to the amount of $5,638 were paid by the Police for the destruction of "noxious" beasts, including 70 tigers.

PRISONS.

14. On the 31st December, 1906, the number of prisoners in the jails of the States was 1,689 (166 civil and 1,523 criminal), a reduction of 236 as compared with the number on the 31st December, 1905.

The total prison population was 10,044, inclusive of the 1,689 remaining from the previous year, the daily average having been 1,715. The number of reconvictions was 1,210 against 1,323 in 1905.

Health.

The health of the prisoners was generally good ; 180 cases of beri-beri occurred.

Convict Establishment. A start was made with the proposed convict establishment at Taiping towards the end of the year by exchanging with Kuala Lumpur a number of short-sentence prisoners for long-sentence prisoners. The construction of additional accommodation is proceeding, and when this is completed all long-sentence prisoners will be transferred to the Taiping jail.

The expenditure on prisons in 1906 was $239,010.98.

MALAY STATES GUIDES. 15. The strength of all ranks of the Regiment on the last day of the year was 863, including 13 European Officers. The Regiment was then one sergeant under and eight privates over the authorised strength.

Discipline. The discipline was very good, and the Guides maintained, as usual, the high character for efficiency and conduct which they have acquired under the command of Lieutenant-Colonel Walker, C.M.G.

Artillery Range. A new artillery range has been laid out in the neighbourhood of Taiping which the Commandant reports to be a great success, and which, it is anticipated, will be found very useful in connection with the training of the Regiment.

Inspections. Two inspections of the Regiment were held during the year by the General Officer Commanding the Troops in the Straits Settlements.

Presentation of Colours. A new Colour was presented to the Regiment on the 12th February at Taiping by His Highness the Sultan of Perak, on behalf of himself and the other Rulers of these States. His Highness was accompanied on the occasion by His Highness the Sultan of Selangor and His Highness the Yam Tuan of the Negri Sembilan.

Expenditure. The total expenditure on the Force for 1906 amounted to $386,000.

MUSEUMS. 16. Many additions were made during the year to the ethnological and economic sections of the Perak Museum, large collections having been made therefor in Pahang, Tringganu, Negri Sembilan, Pahang and Malacca. The local ethnological room contains the most complete Malayan collection in existence ; and the economic section has assumed a quite important position and is the only collection of the kind which has been as yet attempted in Malaya.

The new Selangor Museum was handed over by the Public Works Department during the year, and by the end of 1906 most of the case building had been finished, the collections removed from the old building to the new, and a commencement made with respect to the arrangement of the contents. Collecting proceeded throughout the year and many additions were made to all the sections of the Museum.

MEDICAL ADMINISTRATION. 17. The hospitals and dispensaries were kept up for the most part to the usual high standard of efficiency. The number of in-patients treated was 57,592 against 55,467 in 1905, and the number of out-patients treated was 120,320.

The chief diseases were beri-beri, malaria, pulmonary complaints, dysentery and diarrhœa, and venereal diseases ; in addition to which there was an epidemic of cholera, in the Krian district of Perak, with 53 cases and 29 deaths.

The cases of beri-beri were fewer in number, but were of a rather more serious type, the death-rate being higher.

Serious outbreaks of malaria occurred among the Tamil immigrants in the agricultural districts of Klang and Kuala Lumpur in Selangor. Energetic measures for localising and checking the outbreaks appear to have been attended with success.

Bowel complaints and venereal diseases show rather pronounced increases.

MEDICAL RESEARCH. 18. In March Dr. Fraser arrived and took up duty as Director of the Institute in succession to Dr. Daniels. Later in the year the staff of the Institute was strengthened by the appointment of a Chemist and of an Entomologist.

The Director has, like his predecessors, given a good deal of time and attention to the study of beri-beri. What more particularly occupied him has been consideration of the rice theory so strongly advocated by Dr. Braddon, and in connection with which he hopes to make investigations at affected centres when opportunities offer. He has also given much attention to the investigation of trypanosomias which has become a serious scourge in some tropical countries. He has received valuable co-operation in this direction from Mr. S. L. Symonds, the Government Veterinary Surgeon.

The Bacteriologist was occupied throughout the year in the investigation of matters connected with his branch.

The Chemist from the time that he arrived in June to the end of the year was engaged in laboratory investigations and analyses with very valuable results, in addition to the duties undertaken by him for the Agricultural Department.

The Entomologist, who assumed duty in September, was engaged in studying the life histories and habits of the ticks and biting flies. He also carried out investigations connected with agricultural matters, and dealt with many communications asking for information on agricultural subjects.

Volume 4, Part I, of the Studies from the Institute, entitled "Observations in the Federated Malay States on Beri-beri," by Dr. C. W. Daniels, was published and copies sent to the various learned bodies and to persons interested in the subject.

Volume 3, Part III, entitled "Culicidæ of British Malaya," is still in the press.

POSTS AND TELEGRAPHS.

Revenue.

19. The revenue collected, which includes the revenue from the sale of stamps, amounted to $437,487, an increase as compared with the collections of 1905 of $145,460, 92 per cent. of this increase appears under the head of sale of stamps, much of it being due to transfers connected with the boom in rubber.

Expenditure.

The expenditure of the department amounted to $406,183. Annually recurrent expenditure took $383,886 and special expenditure $22,297.

Money orders.

Fixed rates were introduced last year for the issue and payment of money orders, the rates being $1 = 2*s*. 4*d*. and $100 = Rs. 175.

Money orders were issued of the value of $2,136,618, an increase as compared with 1905 of $338,470. Money orders paid amounted to $565,383, an increase of $89,392.

Money orders issued included orders on India of the value of Rs. 2,005,344, Ceylon Rs. 417,576 and the United Kingdom £2,259.

Telegraphic money orders to the value of $13,907 were issued.

British postal orders were largely made use of for the remittance of small sums.

Post and Telegraph Offices.

There are now in these States 52 post offices and 28 places where postal business is transacted by persons connected with other departments.

Postal Packets.

The number of postal packets posted in these offices and places was 3,402,516, an increase of 446,328, of which 252,226 are credited to Selangor. The number of postal packets delivered was 3,419,364, an increase of 385,656, of which 223,692 were due to Selangor.

Registration.

Registration shows a falling off—the numbers having been 208,988 posted and 146,662 delivered.

Insurance.

A system of insurance came into force on the 1st July, 1906, between 17 offices in Federated Malay States and between these offices and the offices in the Straits Settlements. This appears to be a good deal used for the transmission by post of gold and gold leaf to Chinese jewellers.

Telegraphs and telephones.

One thousand three hundred and eight-one miles of telegraphs and telephones were worked by the department. This represented 2,509 miles of wire, of which 1,063 miles were telephone wire, including 395 miles of wire kept up for the sole use of the Police. The cost of maintenance was $36,737; there was spent on construction $52,081; and the revenue derived from telegraphs was $52,858. New telegraph offices were established at Lenggong and Grit in Upper Perak.

The expenditure (included in the $52,081) on telephone construction was $40,439; and the subscriptions realised $12,449, an increase of $5,510.

PRINTING.

20. The printing and publishing connected with Government were carried on, as in previous years, under the able and economical management of Mr. John Russell at the Kuala Lumper Government Printing Office.

A staff of 180 was employed, of whom only 18 were Malays.

A stereotyping department, added in December, 1905, did good work throughout the year.

EDUCATION.

21. Towards the end of 1906 the appointment of Federal Inspector of Schools, held by Mr. R. J. Wilkinson, was abolished, and the supervision of educational matters was entrusted to Mr. J. B. Elcum, who was appointed Director of Education for the Colony of the Straits Settlements and Federated Malay States.

Expenditure.

According to Mr. Elcum's report the total expenditure on education, excluding expenditure on works and buildings, amounted in 1906 to $263,876.

In 1906 the total number of schools, either Government schools or aided schools inspected by Government Inspectors, was 285 with an average attendance of 14,185. These figures show an increase as compared with the figures given for last year of 16 schools and 1,833 scholars.

Teaching of English.

English was taught in 22 schools, of which 19 are purely English and three are Anglo-Vernacular schools. Fifteen of these schools are for boys and seven for girls. The average enrolment was 2,575 boys and 644 girls with an average attendance of 2,307 boys and 566 girls.

The Victoria Institution in Kuala Lumpur continues to occupy the first place as an educational institution in these States. It is admirably equipped and has a strong staff, being able in addition to a considerable staff of trained European teachers to command the services of the best local teachers procurable. Much the same, but in a somewhat less degree, may be said of the Central School at Taiping, now known as King Edward the VII's School.

Grants-in-aid.

Result grants to English schools amounted to $31,702, and in addition maintenance grants to the amount of $15,780 were given.

A sum of $17,500 was given in aid of new or additional school buildings to three aided schools.

Malay Residential School.

The Malay Residential School at Kuala Kangsar is reported to have done excellent work during the year, 51 boys attended the school of whom 28 were boarders. Mr. Elcum in alluding to this Institution says:

> "The rapid progress in English made by the boys of this school is exceedingly remarkable. This is due in part to the residential character of the school, but still more to the enthusiasm and ability of the Headmaster, Mr. W. Hargreaves, who has demonstrated successfully that Malay boys, if properly handled, form admirable material, and can be induced to work successfully."

Normal Class.

The normal class established in Kuala Lumpur, in January, 1905, under the direction of Mr. Tyte, of the Victoria Institution, has been held out of school hours and has been attended by teachers from the Kuala Lumpur schools. The class has done good work. The rules have now been revised and the curriculum extended. A second master has also been added so that first and second year students can be taught separately.

Malay Schools.

The purely Malay schools numbered 247, of which 30 were Government girls' schools. The average attendance was 9,991 boys and 823 girls. Twenty-seven of the girls' schools are in Perak. The percentage of attendance was for boys 80 in Perak, 83·6 in Selangor and 85 in Negri Sembilan. For girls the percentage was 80 in Perak, 82 in Selangor and 75·9 in Negri Sembilan.

The Federated Malay States Malay schools have five standards. But a small proportion of the scholars stay on for the fifth standard.

Tamil Schools.

The Tamil schools are 14 in number—10 in Perak, and two each in Selangor and Negri Sembilan.

Chinese Schools.

Two small Chinese schools—one for boys and one for girls—are maintained by the American Mission at the Chinese Settlements at Sitiawan.

PUBLIC WORKS.

Expenditure.

22. The total expenditure in connection with Public Works in the year 1906 was $6,432,079, which included Federal expenditure and expenditure in the four States of the Federation as follows:

Perak	$2,069,002
Selangor	2,135,978
Negri Sembilan	1,170,324
Pahang	1,019,926

As has been already mentioned the Krian Irrigation Works were completed during the year. The Kuala Lumpur Electric Lighting Scheme was further developed, an auxiliary steam plant being added. Further work was put in in connection with the increase of the Kuala Lumpur Water Supply.

Other important works in hand during the year were:

In Perak: the extension of the Taiping Jail; the Kuala Kangsar waterworks; new market and abattoirs at Ipoh; the Tapah and Chanderiang waterworks; the residence at Kuala Kangsar for the High Commissioner; a new hospital at Tapah.

In Selangor: the new Kuala Lumpur Post Office; new markets at Batu and at Port Swettenham; offices and laboratory for the Director of Agriculture at Kuala Lumpur; Land and Survey Office at Kuala Kubu; hospital ward at Klang.

In Negri Sembilan: the new Residency at Seremban; the Seremban waterworks; the new Public Offices, Kuala Pilah.

In Pahang: new Public Offices; a new Rest-house and hospital buildings at Bentong; new hospital buildings, quarters for the District and other officers at Kuantan and other buildings of minor importance.

In respect of new roads some progress was made in Perak with the road to Grit in Upper Perak, the Bruas-Parit road connecting the Larut and Kinta roads, the Krian-Selama road, and the Batu Gajah-Toh Alang road; the new road from Kuala Pilah in Negri Sembilan to Bentong in Pahang was pushed on with some vigour, as was also the Ginting Sempah new road to join up Bentong with Kuala Lumpur, and the Kuantan-Lepar road in Pahang giving access to the Blat tin mines.

At the close of the year there were open for traffic in these States, 1,583¼ miles of metalled cart-road, 277 miles of unmetalled cart-road, 506½ miles of bridle-roads and 773 miles of paths and bridle-paths, the total cart-road mileage having been added to during the year to the extent of 83¼ miles and paths to the extent of 121¾ miles.

Surveys.

The preliminary surveys in Pahang, undertaken by the State Engineer at the request of my predecessor, have contributed largely to a better knowledge of the general features of the State. The Trigonometrical Survey Department gave much assistance; and the State Engineer was enabled to carry out surveys of the Rompin valley, portions of the Blat and Kuantan rivers and the coast from Kuantan to Kuala Kemaman. The Rompin survey entailed exceptional hardship, and the Director of Public Works reports that the State Engineer deserves much credit for having put it through. The extent of explorations for new roads was 650 miles.

RAILWAYS.

23. The General Manager has sent in for 1906 an illustrated report of a highly interesting character.

Open line.

This report shows that the mileage open on the 31st December last was 428 miles 67 chains, an increase of 32 miles 35 chains, the length of the last section on the main line between Tampin and Kuala Gemas opened to traffic on the 1st October last. The length of the main line from Prai to Kuala Gemas is 351 miles 13 chains; and the branches, Taiping to Port Weld, Tapah Road to Telok Anson, Batu Junction to Batu Caves, Kuala Lumpur to Port Swettenham, and Tampin to Malacca, aggregate 77 miles 54 chains.

Sidings.

In addition there were 60 miles 74 chains of siding, an increase during the year of 8 miles 46 chains, making a total of 489 miles 61 chains of railroad in operation.

Capital account.

The capital account at the end of the year stood at $41,275,005, on which the net profit realised of $1,572,337 gives a return of 3·81 per cent. The average capital outlay per mile of line open was $96,248, as compared with $94,000 at the end of 1905.

Receipts.

The gross receipts, excluding the proceeds of the sale of sleepers from the depôt, amounted to $4,564,100. This was an increase as compared with the receipts of 1905 of $623,501, towards which passengers contributed $351,117, goods $230,957, and live stock $45,006. The increase in the number of passengers was 657,147, of whom 597,913 were third class; the increase in goods was 75,354 tons, and the increase in live stock 25,386.

Working expenses.

The working expenses for the year amounted to $2,991,762, an increase of $714,212, due to relaying certain sections with heavier rails and to the additional mileage of open lines. The percentage of working expenses to receipts went up from 57·80 in 1905 to 65·55 in 1906.

Train mileage.

The total train mileage in 1906 was 1,851,516 miles, an increase as compared with 1905 of 307,890 miles. The weekly earnings per mile of open line are shown as $204·67 and the working expenses $134·16; the total earnings per train mile were $2·47, the working expenses $1·62, and the net earnings per train mile 85 cents, a reduction of 22 cents as compared with the results of 1905. The weekly cost of maintenance per mile was $30·46 in the northern division and $32·17 in the southern. The figures for 1905 were $33·82 and $48·61.

Special services.

The expenditure on special services amounted to $1,344,284, of which a sum of $764,154 was debited against capital account and $580,130 against revenue account. The total expenditure, inclusive of the cost of special services charged to capital account, for new lines (including Johore Railway) under construction and survey was $4,707,269.

Workshops.

The transfer from the old railway workshops to the new shops at Batu was commenced in May and completed by the end of August, when all the machines were working in their new position.

Penang Station.

Some progress was made with the Penang terminal station and offices, on which there was expended during the year $68,320.

Krian Bridge.

The abutments for the additional 100 feet span for the Krian bridge were completed, but the superstructure, the indent for which was sent home in January, 1905, had not been received.

Relaying.

A sum of $301,975 was expended on relaying the line in the northern division, 60-lb. rails being substituted for 46¼-lb. rails north of Ipoh and 80-lb. rails being put in between Ipoh and Tapah Road.

Pass section.

A further sum of $41,361 was expended on improvements in the Pass Section, and no trouble has since been experienced from slips and washaways.

Rolling stock.

Fourteen new bogie carriages were added to the rolling stock during the year. Thirteen of these were of an improved type with wheels 2 feet 9 inches diameter. They have been running on the mail train service from Prai to Kuala Lumpur since the 20th September last, and the train made up of these carriages has with some show of justification been called the finest East of Suez. Twenty-six goods waggons and three goods brake vans were added to stock during the year.

Steamers.

Two new steam boats were added during the year, the "Kinta" for towing purposes between Prai and Penang, and the "Martha" for towing service at Port Swettenham.

Engine mileage.

The total engine mileage was 2,074,441 against 1,757,719 in 1905. The actual daily average engine mileage was 126 miles as compared with 102 in 1905.

Motor 'bus service.

A Motor 'Bus Service was begun on the 1st December between Tapah Road and Tapah. This is in connection with the train service and has so far been a success. Another service has been opened between Temoh and Chanderiang, and it is intended to extend the service to other localities during the current year.

Stations.

The number of stations open to traffic on the 31st December, 1906, was 93. There were in addition seven flag stations, making 100 stations in all.

The goods traffic dealt with at Prai continued to develop. Excluding traffic in transit from the Railway Goods Department at Penang, the goods forwarded from Prai reached 16,590 tons, including 11,965 tons of coal.

The trade of Telok Anson would appear, judged from railway figures, to have recovered somewhat, the weight of goods dealt with in 1906 having been 105,759 tons, an increase of 10,134 as compared with 1905.

The General Manager also gives figures showing the increase of trade at Port Swettenham, whence the quantity of goods forwarded was 147,524 tons in 1906, an increase as compared with 1905 of 21,060 tons, and as compared with 1904 of 34,711 tons.

Stores.

Stores and materials for the open line were purchased during the year to the value of $998,090, of which a sum of $791,358 was paid through the Crown Agents. One hundred and twenty-eight indents, involving expenditure estimated at $1,790,842, were despatched to the Crown Agents; the figures for the previons year were 94 and $920,576.

Construction stores.

During the year stores and materials bought for construction purposes cost $1,353,866, of which a sum of $1,123,832 was paid through the Crown Agents. Forty-three indents, the expenditure in connection with which is estimated at $765,617, were forwarded to the Crown Agents.

Johore railway.

The expenditure on construction of the Johore Railway during 1906 amounted to $3,221,761, bringing up the total expenditure to $4,286,259. A large part of the work had been carried out by the close of the year, including linking in of the permanent way for 25½ miles, 10 miles at the Gemas end and 15½ miles at Johore Bahru. The telegraph line for 70 miles and most of the buildings on the line were completed.

GENERAL. Service appointments.

24. Mr. D. G. Campbell, Resident of Negri Sembilan, was absent in Brunei on a special mission until the 14th January, when he returned to duty in that appointment until the 10th November, on which latter date he took up duty as Acting Resident of Selangor *vice* Mr. H. C. Belfield on leave. Mr. R. C. Grey acted as Resident of Negri Sembilan *vice* Mr. Campbell.

The new arrangements in connection with the creation of a Supreme Court for these States came into force on the 1st January, 1906, Mr. Justice Hyndman Jones being appointed Chief Judicial Commissioner, and Mr. A. T. D. Berrington and Mr. L. M. Woodward (of the Straits Civil Service) being appointed Judicial Commissioners. Mr. Justice—now Sir William—Hyndman Jones, Chief Judicial Commissioner, was appointed Chief Justice of the Straits Settlements in August, and Mr. Justice A. FG. Law, Senior Puisne Judge of the Straits Settlements, was appointed Chief Judicial Commissioner in his place.

Mr. F. Belfield was appointed to be Legal Adviser to the Federated Malay States on the 3rd February. Mr. Justice Law proceeded on leave in November, and Mr. Belfield acting as Chief Judicial Commissioner, Mr. L. P. Ebden from the Straits Settlements took his place as Legal Adviser.

It was found advisable to differentiate more clearly the Treasury and Audit branches of the Financial Department, and in consequence in November the appointments of Financial Commissioner and Chief Auditor were abolished, and the appointments of Treasurer, Federated Malay States, and Auditor-General, Federated Malay States, were created in their stead. The former post was given to Mr. H. G. B. Vane and the latter to Mr. W. J. P. Hume.

An arrangement was made by which all the long-sentence prisoners in the Federated Malay States should be concentrated in a Convict Establishment situated at Taiping, and Mr. A. B. Voules was on the 1st July appointed to be Superintendent of this Establishment.

Mr. F. A. S. McClelland, Assistant District Office, Kuala Kubu, was on the 6th May seconded for service in Brunei as Assistant Resident for a year.

Exchange.

The exchange value of the dollar was, after many fluctuations, fixed at 2*s*. 4*d*. on the 30th January, 1906. This has no doubt placed commercial transactions on a more satisfactory footing, but the local prices of most commodities have not so far shown much tendency to adjust themselves to the new rate.

Appeals to Privy Council.

By "The Federated Malay States Appeals Order in Council, 1906," passed by His Majesty the King-Emperor in Council, on the 11th May, provision was made for an appeal in civil actions from the Supreme Court of the Federated Malay States to the Privy Council.

Conference of Residents.

Two conferences of Residents were held during the year in the months of February and December.

During the absence of His Excellency Sir John Anderson on leave of absence, I administered the Government of the Straits Settlements and served as High Commissioner of the Federated Malay States in addition to my duties as Resident-General, from the 3rd March to the 7th June.

Population.

The population of the Federated Malay States is estimated roughly at 915,000.

W. T. TAYLOR,
Resident-General,
Federated Malay States.

Kuala Lumpur,
May 9, 1907.

FEDERATED MALAY STATES.

Special General Return.

Year.	Revenue.	Expenditure.	Trade.		Duty on Tin.	Land Revenue.	Forest Revenue.	Postal and Telegraph Revenue.	Railway Receipts.	Population.					Year.
			Imports.	Exports.						Perak.	Selangor.	Negri Sembilan.	Pahang.	Total.	
	$	$	$	$	$	$	$	$	$						
1889	5,013,000	4,091,078	15,653,456	19,720,689	1,750,008	190,538	...	26,027	359,025	...	...	...	...	...	1889
1890	4,840,065	5,237,275	15,443,809	17,602,093	1,609,401	166,054	...	37,742	406,032	...	...	...	...	...	1890
1891	4,572,310	5,554,800	14,889,942	18,495,554	1,573,441	199,680	...	44,286	414,889	214,254	81,592	70,730	57,642	424,218	1891§
1892	5,347,189	5,883,407	19,161,159	22,662,359	2,097,274	300,680	...	53,630	537,111	...	...	...	...	...	1892
1893	6,413,134	6,797,538	21,896,117	27,373,760	2,602,380	347,600	...	73,941	723,934	...	...	...	...	...	1893
1894	7,511,809	7,162,396	24,499,615	32,703,147	3,238,000	457,262	...	89,790	986,617	...	...	...	...	...	1894
1895	8,481,007	7,582,553	22,653,271	31,622,805	3,379,813	468,239	...	110,793	1,294,390	...	...	...	...	...	1895
1896	8,434,083	8,598,147	21,148,895	28,395,855	3,126,974	511,237	...	140,230	1,344,994	...	...	...	...	...	1896
1897	8,296,687	8,795,313	25,000,682	31,148,340	2,716,263	636,054	...	141,328	1,294,139	...	...	...	..	...	1897
1898	9,364,467	11,110,042	27,116,446	35,241,003	3,210,699	636,927	...	173,709	1,394,720	...	...	...	...	...	1898
1899	13,486,410	11,499,478	33,765,073	54,895,139	6,181,542	639,899	...	166,838	1,722,475	...	...	...	...	...	1899
1900	15,609,807	12,728,930	38,402,581	60,361,045	7,050,382	712,898	...	191,525	2,254,742	...	...	...	...	...	1900
1901	17,541,507	17,273,158	39,524,603	63,107,177	6,968,183	626,114	287,548	202,121	2,377,040	329,665	168,789	96,028	84,113	678,595	1901§
1902	20,550,543	15,986,247	45,757,240	71,350,243	8,438,775	661,668	288,053	241,944	2,856,640	...	...	...	...	...	1902
1903	22,672,567	16,219,872	47,790,059	80,253,944	9,590,505	721,304	514,657	278,715	3,608,054	381,500	216,920	117,820	85,000	801,240	1903†
1904	22,255,269	19,318,768	46,955,742	77,620,084	8.814,688	801,959	589,707	317,639	3,605,029	400,000	234,404	118,747	85,000	838,151	1904†
1905	23,964,593	20,750,395	50,575,455	80,057,654	9,249,627	887,593	622,009	296,323	3,940,599	400,000	240,546	119,454	100,000	860,000	1905†
*1906	27,223,476	18,899,425	50,926,606	80,832,325	10,036,798	1,437,753	598,999	437,487	4,564,100	413,000	283,619	118,408	100,000	915,027	1906

Note.—The total Revenue and the total Expenditure of Perak, Selangor and Negri Sembilan in 1875 were respectively $409,394 and $436,872. Figures for Pahang first appear in 1889. Federation dates from 1st July, 1896. § A census of the population was taken in 1891 and in 1901. The population of Perak in 1879 was estimated at 81,084, and in 1889 at 194,801; that of Selangor in 1884 at 46,568 and in 1887 at 97,106. No figures for the other States are given prior to 1891. † Estimated for 1903, 1904, and 1905.

	Revenue.	Expenditure.
*Perak	$14,282,484 ...	$8,776,478
Selangor	9,803,184 ...	6,414,257
N. Sembilan	2,487,090 ...	2,274,337
Pahang	650,718 ...	1,434,353

FEDERATED MALAY STATES.

PERAK ADMINISTRATION REPORT FOR THE YEAR 1906.

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(Extract.)

FINANCIAL.

Revenue.

The revenue of the State in 1906 exceeded 14½ millions of dollars, two millions more than the collections of 1905 and five and a half millions more than the expenditure. It may be said that the tin duty constitutes the surplus, the other sources of revenue paying for the expenditure.

Expenditure.

The total expenditure was $8,776,478, or $1,365,500 less than in 1905, which is more than accounted for under the head of Railways.

Cost of Administration.

The salaries and allowances of the officers who conduct the administration, including H.H. the Sultan and the Native Officers, amounted to a sum under two million dollars and bore a relation of 13·88 per cent. to the whole expenditure. This is a considerable reduction from the previous year.

Assets and Liabilities.

The statement of assets and liabilities supplied by the Auditor-General places the surplus balances of the State on the 31st December last at a sum of $16,721,965, being five and a half millions more than on the corresponding day of the previous year. But it must be remembered that the depreciation on our gold and Indian securities is not deducted from that total, and the sum of that depreciation nearly approaches two million dollars.

TRADE.

Returns incomplete.

I regret that I am unable to publish the trade statistics as usual. The new Department of Trade and Customs will, I trust, ensure that these returns shall be in the hands of residents by the 31st of March. I am informed that the returns show that the volume of our trade has considerably increased; and that must be so. In 1905 its value exceeded sixty millions of dollars, of which two-thirds was the value of the export trade.

SHIPPING.

Straits Steamship Co.

The Straits Steamship Company has kept up regular communication with Telok Anson, but there has been a slight falling off in other steamers and also in sailing craft, which shows that the railway is steadily encroaching upon the traffic, as was to be expected.

Slip-way.

The Government launches were thoroughly overhauled during the year, and as soon as the slip-way at Telok Anson is completed Commander Mills, R.N., hopes to be able to take three launches in hand at the same time.

ADMINISTRATION.

The State Council.

The Council of State was convened on six occasions, twice in Taiping. It passed eleven Enactments, the most important of which were:—

The Chandu Shops Enactment, to which I shall allude elsewhere;
The Morphine Enactment;
An Enactment for the Registration of Medical Practitioners.

LARUT AND KRIAN. Revenue.

This district, on the administration of which the District Officer (Mr. Hale) has written a very comprehensive report, includes Matang and Selama. The revenue collected at the Taiping Treasury has grown very considerably because Kinta tin is now largely sent to Penang and is weighed at Taiping. The land revenue exceeded $148,000, or $26,000 more than in 1905. This was due to the appreciation of land for rubber and to the fact that under Mr. Burgess in Larut and Mr. Shaw in Krian the Land Offices were capably run. No arrears of rent were carried forward.

Native Agriculture.

Natives, not only in this district but elsewhere in Perak, are planting rubber, and the District Officer relates an interesting case in Batu Kurau where a Malay, seven or eight years ago, planted eleven acres with rambong (*Ficus elastica*) and has now sold this plantation for $2,000. The result is that seed has been collected, and many thousand young plants are to be seen hanging round the houses in the mukim, ready to be planted out.

Sugar and rubber.

In Krian sugar estates are being fast planted with rubber and there are about 7,000 acres of Para rubber now in the district. As Mr. Shaw remarks, the boom in rubber came very opportunely for it was coincident with a fall in sugar. The value of the output of basket sugar was less than in the previous year by close upon half a million dollars; white sugar, chiefly the product of the modern factory at Gula, showed but a slight decrease.

Padi.

The area of land under padi in the district was 35,577 acres, of which 31,090 are in Krian. Padi was exported from Krian to the value of $272,000.

Matang.

Matang has been selected for rubber cultivation more than other parts of the district. The total weight of rubber exported from there exceeded 80,000 lbs.

Mining.

It is encouraging that mining land is still sought after in Larut, and there are some 15,000 coolies in the district.

KUALA KANGSAR. Sungei Siput.

Mr. Harvey Chevallier was in charge of the Kuala Kangsar district for the greater part of the year and reports on a time of good progress. Sungei Siput, the centre of a good deal of mining, is the busiest town of the district; building operations there are brisk.

Improvements in Kuala Kangsar.

Kuala Kangsar, the seat of the Sultan of Perak, has been greatly improved, and the year under review saw the completion of the two magnificent houses which His Highness has built for his wives, the construction of a very handsome Mosque, given by the Sultan to his people, and the erection of a well-designed residence for the High Commissioner. A site for the new Malay College was selected and levelled and the construction of the Masters' bungalows was begun. A new road connecting the railway station with the town was opened.

The Art School.

The Art School, which was commenced in 1902, has made considerable progress, and ten boys and fourteen girls under experienced teachers are learning Malay industries and turn out very creditable work.

PERAK.

Revenue.

The revenue of the district was almost $100,000, towards which the Land Office, despite three changes in Land Officers, contributed $67,700. The arrears carried forward to 1907 amount to $208 only.

Parit.

A large portion of the Parit forest reserve was very advantageously taken back from the Forest Department, and 40 acres of Para rubber with additional forest making a little estate of 508 acres was sold by auction and realised $24,500. This money was not brought to credit before the close of the year.

Parit itself is increasing, and as a British officer is now there I look forward to considerable development; the road from Bruas is nearly through. A police station in these down-river mukims is much needed at Lambor.

Rubber.

There are now sixteen rubber estates in the district aggregating about 20,000 acres, and the Bruas road opens up land of the very best quality.

Mining.

Mining, except in the neighbourhood of Sungei Siput, is not prosperous, though there are 5,500 miners in the district; but I hope to induce the Sultan to allow the vast game reserve to be mined, so long as care is taken not to foul the Plus and Perak rivers. It is reported to contain rich stanniferous land. A cart road from Lentang on the Plus to Chior and a road from Kuala Kangsar to Blanja would help the district.

Water supply

The principal work of the year was the completion of the water supply scheme for Kuala Kangsar. It was pushed on with much energy by Mr. Blackshaw, the acting Executive Engineer.

Pontoon bridge.

The pontoon bridge at Enggor was again washed away by floods in January and serious interruption to traffic was caused. A permanent bridge over the Perak river will be costly, but the prosperity of the State justifies the expenditure, and the Sultan and the Chiefs ask for its establishment at the town of Kuala Kangsar.

Deaths of three chiefs.

Death has been busy amongst the Chiefs and three Swords of State were returned to the Sultan by the "Waris" of the late Raja Muda (Raja Musa), of the late Orang Kaya Temenggong (Wan Hasan), and of the late Orang Kaya Kaya Panglima Kinta (Wahab). The late Raja Muda is missed every day, and I cannot do better than quote Sir Frank Swettenham's words in "British Malaya":

> "Only a few months ago there died in Perak a man who cannot be replaced. He was the Raja Musa, the cousin and natural successor of the Sultan. He canot be replaced because he was in the prime of life, of fine character, experienced in all the affairs of State, able, energetic, just and high principled, honoured and loved by his countrymen, and deeply respected by all Europeans who were fortunate enough to know him. It will be necessary to go to another generation to find a Raja Musa; the choice is not large and men of the type of the late Raja Musa are rare. His loss will be keenly felt by the Sultan of Perak, who himself stands for all that is best in the Malay ruling class."

His body was conveyed from Telok Anson to Kuala Kangsar, and was interred in the Royal burial ground on the 13th of March with great pomp and in the presence of an immense concourse of Malays and of English.

UPPER PERAK.

Revenue.

The revenue collected was $21,765, and if the Upper Perak share of the General Farm is added, the cost of administration was covered. The land revenue was very satisfactory.

Mining.

There are now 250 miners at work as compared with 60 coolies at the end of 1905, and the output of tin was 600 pikuls—a marked increase.

Irrigation.

The land irrigated by Government was brought into cultivation and was a complete success. The padi harvest was good, and people are coming into the district.

KINTA.

Land matters.

The land revenue exceeded $196,000, and it is gratifying to know that agriculture is beginning to take root in the district; seventeen applications for rubber covering about 9,500 acres were approved, mostly close to the town of Ipoh.

Prosperity of Kinta.

Kinta is the richest district in Malaya; no part of it seems to be decreasing in population or prosperity. It used to be a common saying that mining towns or villages lasted but a few years, and that the Government was wrong in compelling the erection of brick-and-tile buildings. Most of Kinta's towns and villages are 20 years old; they present an appearance of durability; they are clean and sanitary; they are full of people who go on building; everyone is busy and can afford to pay high rents.

No reference to Kinta would be complete without mention of Ipoh and Kampar.

PERAK.

Ipoh.

Ipoh is growing apace. It is in a state of transition which makes it in many ways inconvenient and unsightly. Building is going on everywhere. Land is being reclaimed and the method of reclamation is, in some cases, unsavoury. Bridges are being erected and the process of construction does not facilitate traffic. It posseses a newspaper and the impatient give vent to their feelings in its columns. But it possesses, I am glad to say, many citizens who are very proud of it, who have made money in it and who are assisting the Government, while they assist themselves, in making it a town which will excite the admiration of visitors.

The close of 1907 will see a marvellous change in Ipoh. The new iron bridge over the Kinta river in Brewster Street will be completed. The existing bridge will be rendered in concrete and widened. The most up-to-date abattoirs in Malaya will be in use. A splendid new market will be the envy of other places in the Federated Malay States. The water supply will be considerably augmented. A new iron bridge over the Pari river on the Lahat road will be under construction and so will the railway to Tronoh, which will greatly enhance town property at Ipoh. A large English school is about to be built. An open space on Connolly Road has been reserved for clerks ; the Government is erecting 23 quarters for them and giving them a recreation ground while they are building a club for themselves. Last, but not least, the People's Park will be almost ready to hand over to the people ; it will be an eminently suitable place for recreation for that class of the inhabitants of Ipoh for whose use it is intended ; valued at the rate of the land which surrounds it, it represents a gift by the Government of $70,000.

LOWER PERAK.
Land matters.

The land revenue touched the record figure of $75,000 and the rent-roll now exceeds $50,000. In both items the figures of 1903 have been doubled. There are some thirty estates measuring about 45,000 acres, and the planters are all very busy.

Setiawan.

The renaissance of Setiawan will, I hope, help Lumut, and later, when this district is joined by road with Kinta, there will be an influx of agriculturists and much rice land will be opened. Mr. Fred Toynbee, an old F.M.S. planter, who is managing Mr. Muhlinghaus's estate, has made what is believed to be a record in felling and clearing 2,000 acres in twelve months, thanks to the labour of Perak Malays.

Native agriculture.

Native cultivation, principally of cocoanuts, is steady, 1,600 acres having been applied for ; but it has been impossible, with an inadequate staff, to give proper attention to the taking up of small holdings.

No arrears of rent were carried forward to the 1907 rent-rolls : but the registration of holdings on the mukim registers is backward, and 7,000 are in arear. The death of the Raja Muda was a severe blow to the administration in Lower Perak, and the existence of Malay secret societies must be firmly dealt with.

Chinese Settlement.

The Chinese Settlement at Setiawan has 300 settlers, who have planted out 40,000 rubber seedlings and a considerable quantity of cocoanuts.

Cocoanuts.

Mr. L. C. Brown has written an interesting report. He estimates that in Perak over 53,000 acres are cultivated with cocoanuts, Lower Perak contributing three-fifths of that area. The export of copra was only 23,500 pikuls, but doubtless the nuts are exported in large quantities or are taken up to those districts where they are scarce for local consumption. In one place some 475 trees were destroyed by bears and in another thousands of a small species of caterpillar attacked and absolutely denuded about 1,000 palms of their fronds thereby reducing their vitality.

Mr. Brown writes that, while it is evident that the natives throughout Perak are giving more care and attention to their plantations, there is not that extension of the cultivation to which he had looked forward, and he attributes this to the enhanced quit-rent now fixed for all holdings of over ten acres. Mr. Hale writes in the same sense and I desire to support their views. There is no form of agriculture, except the cultivation of rice, which is so suitable for our peasantry, and which is so eminently assisted by the soil and climate of these States. It is a safe and remunerative investment for the natives of the country and for those who come to settle in it.

The Government is now opening up Lower Perak by cart roads to Bagan Datoh and Rungkup, and I am in favour of reserving tracts of land in this coast district for the cultivation of cocoanuts.

BATANG PADANG.
Revenue.

This district had a record year, and Mr. Parr is to be congratulated. The revenue was about $214,500, the forest revenue ($32,000) being for the first time credited to the district. The customs revenue was larger owing to increased export of tin-ore from

Tanjong Malim. Land rents show a large and permanent increase and land sales brought in over $34,000.

Mining.

The output of tin (41,012 pikuls) fell off by 10,000 pikuls, but I hope that the new road from Bidor to Gedong and the opening of the Ulu Bernam will help miners to discover fresh fields. Of this output five mines contributed 27,000 pikuls, and I am glad to record the continued success of the Bruseh Mine. About 11,000 coolies are mining in the district. Wolfram to the extent of 1,213 pikuls valued at $36,000 and gold weighing 869 tahils and valued at $33,000 were won.

Rubber.

Rubber planters flocked into the district to occupy land on the main trunk road. There are now 24 rubber estates with an area of 17,635 acres, and they are opening fast; but the labour difficulty is great. Mr. Parr very wisely recommends them to obtain Javanese.

Native agriculture.

The native Malays in Batang Padang have not done as much in the way of agriculture as elsewhere and the foreign settlers do not seem to depend upon agriculture for their living. Malays will never make much show as tillers of the soil unless they have rice fields to cultivate in conjunction with their gardens, for nothing but a rice field keeps them at home.

Land matters.

Matters in the Land Office are up to date in settlement and survey, and the arrears of rent carried forward amounted to $438 only out of a total rent-roll of $55,000.

Proposed roads.

The road connecting Batang Padang with Lower Perak *viâ* Changkat Jong will materially help both districts, and planters will no doubt soon find their way there. The road from Chanderiang to Sungei Siput in Kinta should be completed.

Sanitation.

I am pleased to say that sanitation in the district has been rigorously dealt with, thanks to the energy and zeal of Dr. Dowden. By the end of 1907 many of the sanitary schemes and town improvements will be complete, and Tapah is rapidly changing its appearance.

Motor services.

A motor 'bus service between Tapah Road Railway Station and Tapah has proved successful, and one between Temoh Railway Station and Chanderiang is about to be started and should pay.

TIN MINING.

Output.

The output of tin amounted to 435,908 pikuls as compared with 446,781 pikuls in the previous year. Say 26,000 tons. The approximate value was over 38½ million dollars. The duty collected nearly approached 5½ millions of dollars and the average price was $89·59 per pikul or nine dollars more than in 1905. In May tin reached the record price of £215 per ton. The output shows a decrease of 10,873 pikuls, of which the greater part was a falling off in the output of smelted tin. The Tambun Mine yielded 9,000 pikuls less and the Tronoh Mines showed a decrease of 8,000 pikuls.

Chief Mines.

Of the whole output twenty-eight mines contributed about half; the Société des Étains de Kinta headed the list with 37,316 pikuls and Tronoh was second with 33,078 pikuls; *longo intervallo* come other mines with 20,000 pikuls less.

Labour force.

The census of coolies showed 107,057 employed in mines at the close of the year or 8,000 more than in 1905. There were 412 boilers and engines representing 4,900 horse-power or a saving of 39,000 coolies.

Casualties.

There were 48 deaths in mines—a larger number than before. The Chinese are exceedingly careless and, as was remarked by one of our Magistrates:—

> "The truth is that nothing but a violent death ends the readiness of the Chinese mining coolie to take preposterous risks with his own life."

Tailings.

Mr. Vanrenen, the Warden of Mines, has written at length on the question of disposal of tailings. It is not worth while here to say more than that the time has arrived for requiring all miners in one valley to take combined action to carry out certain works for the good of all. Probably the law will have to be altered to compel miners to obey such directions. The matter has been discussed almost *ad nauseam*; the complaint is that if miners are obliged to retain or elevate or transmit their tailings in the exact manner prescribed by the Mines Department the expenses of the mine will be considerably increased; the reply is extremely simple—they must be content with a diminution of their profits. While the Government always has been and, it is hoped, always will be ready to meet miners halfway it must not be forgotten that mining methods are on a larger scale now and more closely approximate the methods at home, in California and in Australia. Millions of cubic yards are about to be moved and the Government is therefore driven to take greater precautions to protect its own interests and those of the non-mining community. Vide also p. 36.

POPULATION AND IMMIGRATION.

Statistics.

After a somewhat careful calculation I put the population of Perak at 413,000.

Malay Immigration.

Natives of India.

The immigration returns are not entirely reliable because they do not show how many of the people who entered the State by rail from Prai, or by sea and river into our ports, remained here. The Harbour Master who gives these statistics for all nationalities, returns the increase in 1906 at a figure somewhat under 22,000. He puts the increase of Chinese at 10,000. The Protector of Chinese puts it at 12,400. The Harbour Master puts the increase of Indians at 9,600; that is probably correct. Against these figures, however, there has to be set off the great toll levied by death, for the vital statistics supplied by the Medical Department show that no less than 7,532 Chinese and 1,957 Indians died. Neither of these nationalities is suited to our climate and I am strongly in favour of sustained efforts to induce foreign Malays—the brown men—to come to the Federated Malay States. Ultimately, in spite of prejudice, it will be found that they will become the labour force on which planters (at all events Perak planters) will have to depend. The Tamil is being more and more attracted to mining. He gets better wages and the miner finds him a cheaper labourer. Elsewhere I have written of the imperative necessity which exists for better sanitation in our mines, and if measures are not taken to compel sanitation the death-roll of natives of India will more nearly approach the serious death-roll of Chinese. There are now some 6,000 Indians employed in mines in this State.

There was a considerable decrease in the number of statute immigrants imported in 1906 (1,558) as compared with 1905 (3,159), but this was in a great measure due to the completion of the Krian Irrigation Works.

The average population of statute immigrants was 3,515, of whom 289 or 7·34 per cent. died. They are better cared for on estates; but there is still much room for improvement, and I have referred elsewhere to some points in respect of which it can be effected.

OPIUM.

Import.

The number of chests of opium imported into Perak was 2,545 on which duty at $560 per chest was levied to the extent of $1,425,200; about one hundred chests more than in 1905.

Smoking Shops.

During the year we discussed in the State Council the instructions under the new Opium Smoking Shops Enactment. It was unanimously decided by Council to improve the condition of these shops as to cleanliness and ventilation, to allow no small dens, to put the trade into the hands of people in a larger way of business who would be in a position to keep shops up to the required standard, to allow no other trade to be carried on in any part of the house, and to curtail the hours of smoking. Very good work has been done and the instructions will be strictly carried out.

The anti-opium movement.

The Anti-opium Society has been much *en évidence* of late and Ipoh is a great centre for these reformers, who have done good. Personally I am, in common with others, in sympathy with many of their suggested reforms, but such sympathy is in great danger of being estranged when one reads the ill-considered speeches which connect Government and Government officials with the vice on account of the revenue derived from it, and which continually suggest remedies that would be worse than the disease. There are thousands of people who loathe drunkenness, but have no sympathy with total abstainers: so are there thousands who believe opium smoking to be vicious, but who see no reason for peremptorily depriving hardworked labourers of an occasional pipe.

The new cure.

It is hoped that the distilled water of the weed which is reputed to have cured hundreds of opium smokers will preserve its efficacy and that faith in it will not fall away. Meanwhile the Government of Perak will do all in its power, without actually interfering with the liberty of the person, to prevent opium smoking, especially in the case of women and children. In places where those employed in certain trades congregate, directions have already been given that employers of labour are not to supply their labourers with opium as a part of their wages. I am in favour of further restrictive legislation.

HEALTH.

Medical conference.

The annual meeting of the Malayan Branch of the British Medical Association was held at Ipoh, and I was invited to preside at the opening. Among a great deal of interesting matter discussed Dr. Cooper read a paper on House Sanitation and Dr. Watson of Klang and others spoke on the question. The type of shop-house is being improved and a shorter and more open house is being insisted upon: the people show a readiness to conform to these ideas.

Statistics.

There were 25,455 persons treated at the various district hospitals during the year. The death-rate was 11·53 per cent. On the last day of the year, there were 1,242 persons in hospital. The number of out-door patients treated was 50,345. The travelling dispensaries, which did better work than ever, administered to the needs of 17,849 persons. The vaccination return gives 14,915 persons with 10 per cent. of failures.

Serious diseases.

Beri-beri	2,785 cases treated ...	886 deaths	or 31 per cent.
Dysentery	2,599 " ...	775 "	or 29 "
Pulmonary diseases ...	1,731 " ...	598 "	or 34 "
Diarrhœa	1,208 " ...	331 "	or 27 "

While therefore these diseases supplied only 30 per cent. of the cases treated they claimed as victims 67 per cent. of those who died in the hospitals.

Beri-beri.

There were fewer cases of beri-beri than for the previous decade, but a greater death-rate than in any previous year since 1881.

Health in the mines.

Elsewhere I have alluded to the Chinese death-rate and insanitation in the mines and I am glad to see that the acting State Surgeon, Dr. S. C G. Fox, and all District Surgeons stationed in mining districts, take up this question in their reports.

Health on estates.

Dr. Fox also comments on the death-rate amongst Indians on some estates and writes:

> "During the past year new estates and fresh clearings, probably fifty, have been opened and I regret to state that, in many instances, the primitive points of hygiene have not been observed. Lines have been built on or near swamps, wells have been dug in places where the refuse from the coolie lines and washings from storm water have been able to pollute the supply, no latrine accommodation has been provided, everything has been left to happy chance."

Then, after calling attention to the general lack of water supply and to the hard drinking that exists on estates, he goes on:—

> "The problem of the health of the estate coolie is one with which Government must deal at no distant date. The present apathy of the owners or directors will have to be met and defeated."

These words come from a man who has had close on twenty years' service, and I regret to say that they are true. Of course there are bright exceptions amongst planters and they easily command a labour force—but it is with no little astonishment that one sees the obviosities of good health on estates neglected. One would think it would be easy to select a good high site for coolie lines; to bring in water in pipes or catch it from iron roofs, with tanks and a process of filtration; to compel sanitation in lines; to excuse, after the daily muster, those who are unfit to work, especially women when pregnant or suckling; to do these and scores of little things which, together with these, would prove very remunerative when compared with absences from work when work is essential and with hospital bills when they are avoidable. Frequently estates are opened in groups and in every such case combined action to establish one central hospital or to bring in potable water to one central point might be taken, but is not.

Registration of births and deaths.

Dr. Fox writes of the unsatisfactory way in which births and deaths are registered. The matter is in hand. In respect of births the returns are inaccurate. In respect of deaths the cause is wrongly given. To judge of the death return from fever, 5,669 deaths out of 12,952, it would be presumed that Perak is a fever-stricken country. Everyone knows it is not; the diagnosis is to blame. One bad feature is that of infantile mortality; 1,200 babies died under one year of age.

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Lunatics. The daily average of lunatics in the Taiping Asylum was 132; a severe type of dysentery prevailed, and 60 deaths from bowel complaints or 26½ per cent. of those treated is a bad record. The wards are unsuitable, and it is very satisfactory that the construction of a Federal Asylum on a large scale at Tanjong Rambutan has been ordered.

Lepers. The accommodation of Malay lepers at Pulau Pangkor Laut was increased and a plentiful water supply added: 46 were treated and 33 remained at the end of the year. The general ward at Taiping has been overcrowded throughout the year and a new Perak ward at the Colony's institution at Pulau Jerejak is to be built.

Quarantine station, Port Weld. The Quarantine Station at Port Weld is considered unsatisfactory. With good cattle trucks on the railway I see no reason for the continuance of Port Weld as a port of entry.

Sanitation. The acting State Surgeon writes in terms of praise regarding the many works of sanitation accomplished at a cost of $350,000 in the State, but condemns the septic tank at Ipoh. This criticism is a little early, for it was an experiment: it is admittedly incomplete and the effluent must be purified, but time for its perfection must be allowed.

Cost of the medical department. The Medical Department cost $318,000 and gave relief to over 105,000 persons: the measure of free relief given to persons of every description in Government employ alone would, if a bill were made out, greatly discount the expenditure.

Recommendations by Dr. Fox. Dr. Fox observes that a Health Officer for Kinta is required, and in view of what I have written elsewhere I am glad to note his and Dr. Cooper's expression of opinion. He also advocates that the question of night nursing in hospitals be considered on Dr. Wright's return from leave. He has carried on the management of the department in a very loyal manner to his chief and has enhanced the reputation he has earned during a long service in this State.

District hospitals. I now turn to the reports made by the various District Surgeons. Many of them work with an earnestness and pride in their work which is commendable and it is interesting to note the chief points they make as a result of their year of experience.

Taiping. Dr. Peart calls attention to the necessity for improving the town by building more houses because the town is overcrowded, by filling old mine holes, and by bettering the conditions under which food stuffs are stored.

Krian. Dr. Gerrard has taken great pains with his report. There was an immense decrease, over 20,000 cases, in hospital owing to the completion of the irrigation works and there is now ample accommodation in the hospitals at Parit Buntar and Bagan Serai. Sanitation in the towns was greatly improved: the establishment of a dresser and dispensary at Kuala Kurau was very successful: the equipment of the operating rooms has been made up to date. There were four cases of tetanus and a cholera epidemic, which broke out on two sugar estates, being imported from Province Wellesley. There were 53 cases with 29 deaths: the epidemic was tackled in no uncertain way and credit is due to Dr. Gerrard for his untiring efforts. He writes:

> "It will suffice if I report simply that everyone did his duty during the period, that the disease was stamped out in fourteen days and that the case mortality was below the average."

Dr. Thornley gave much assistance.

There were a few beri-beri cases amongst Tamils. Regarding agricultural estates Dr. Gerrard writes:

> "I regret that I am still of opinion that no estate in the district recognises its responsibility in the matter of the health of its coolies and that no sufficient provision for sanitary housing, latrine accommodation, pure water supply, and intelligent supervision of the lines exists. Many estates have a permanent labour force in work now but no permanent buildings for their accommodation, and, without wishing to idealise, I feel convinced that something must be done soon in this matter if we desire a healthy Krian."

Dr. Gerrard advocates the system introduced by Dr. Braddon in the Negri Sembilan of supplying police stations and penghulus with quinine: he points out to estate owners and others that the drug must not be stopped on the patient leaving hospital.

He is of opinion that the anti-dysenteric serum should receive a wide trial as he has found it successful.

He desires to improve the nursing in wards and suggests the creation of a scheme by which attendants might rise to a pay of $30 a month when competent.

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Batu Gajah.

Dr. Clarke reports a falling off in hospital cases: out of 485 deaths in hospital 309 were due to dysentery, beri-beri and phthisis. He thinks that money should be expended on Batu Gajah town itself and points out that there has been much sickness amongst the clerical service there.

Kampar.

Dr. Clarke was also in charge of the Kampar hospital. The death-rate, 11·75 per cent., was greater than for the previous six years and this is attributed to the three diseases above referred to: out of 442 deaths in hospital 329 were caused by them. A number of cases were transferred to Batu Gajah and the Inspector-General of Hospitals (Dr. D. K. McDowell, C.M.G.) is of opinion that, with easy railway communications, chronic cases might be sent on to Batu Gajah to relieve the overcrowding at Kampar.

Gopeng.

Dr. Brown reports an increase in the number admitted to hospital, and an increase in diseases of the respiratory system (255 cases as compared with 159 in 1905). A pure water supply is being given to this town, but Dr. Brown advocates better drainage, reclamation of the swamps which surround the town, and more sanitation in the buildings in Gopeng.

Ipoh.

The Ipoh hospital continues to grow. It treated more patients than any other in the State in 1906. It is now time to select another site and later to move the hospital. The death-rate, 18·43 per cent., was high and there was a great increase in deaths from beri-beri and dysentery. The medical staff at Ipoh will be relieved by the appointment, which has now taken effect, of a Veterinary Surgeon for Kinta to reside at Ipoh.

Tapah.

I regret to say that Dr. Dowden had not been able by the end of the year to effect the move into the new hospital. It is a fine site with excellent buildings away from the town. The educational classes held by the District Surgeon were of much use to the subordinate staff. Malarial fever continued to be of a bad type. Dr. Dowden is taking an interest in inducing Malays to come to hospital. He has, as I have stated elsewhere, taken great interest in sanitary matters and urges the extension of sanitary rules to the mines and mining kongsis, and he recommends very wisely that Tamils be compelled to adopt a type of house like the Government coolie lines. The sanitation of Chanderiang and Bidor has been improved and that of Tapah is receiving much attention.

Telok Anson.

There was an increase of patients at this hospital, but the death-rate was reduced to 7·81 per cent. Dr. Meldrum makes a favourable report on the health of the Lower Perak estates, but points out the necessity for an estate hospital at Setiawan, which is being rapidly opened.

Kuala Kangsar.

The hospital was satisfactorily managed by Mr. Hughes, our oldest Apothecary. A District Surgeon has now been appointed and a purely Malay hospital with Malay attendants and Malay cooking is to be established there after mature consideration.

Veterinary report.

Surra, I am glad to say, disappeared after the death of the last animal on the 9th May in Krian. No case occurred between early in November, 1905, and the end of March, 1906: on the 31st a pony died, but two days previously an Indian bull was found to be affected and Mr. Short gives it as his opinion that this bull was the means of keeping the disease in Krian. This shows that while quarantine can usefully be imposed it is dangerous to remove it and that destruction of all cases discovered is essential. There was one outbreak of rinderpest in Taiping and one of swine fever in Larut. There were four cases of glanders at various places.

Decrepit vagrants.

The reformatory for so-called criminal vagrants at Telok Anson was closed. The system can be reverted to when the lunatic wards at Taiping are available. Meanwhile the voluntary institution at Taiping has done good work. It has extended its buildings so as to accommodate 200 beds. It treated 205 persons during the year with a daily average of 116 inmates, who are kept in cleanliness and contentment. Its ordinary expenditure is under $9,000 a year and its balance in hand is close upon $41,000.

METEOROLOGY.

Rainfall.

Taiping showed a rainfall of 176 inches during the year while Lenggong registered 76 inches and Ipoh 85. The wettest day of the year was experienced at Selama where 6·35 inches fell in 24 hours. The most rainy months were January and December in Taiping with 23 and 22 inches. The driest was May in Gopeng, where only 1·85 inches was registered.

Temperature.

The temperature ranged from 63° to 96° Fahr.

SANITATION.

The work of the year.

In this part of administration there was a great movement in 1906. Professor Simpson visited some of the towns of the State and his report is sure to prove interesting. Dr. Thornley paid several visits lasting some time on each occasion, and went into matters sanitary with a thoroughness for which I tender to him the thanks of this Government. On the whole, there is reason to be satisfied with what has been done; mistakes have of course been made where experiments have been tried, and much remains to be done which can only be accomplished by a very liberal expenditure of public money.

Septic tank at Ipoh.

In the first category there is the septic tank at Ipoh. The discharge from it into the Pari river is far from being innoxious. It has been proved to be too small for the sewage of Ipoh and a system of filtration is a pressing necessity.

Health Officer for Kinta.

Insanitary condition of the mines.

In the second category everything points to the necessity for a Health Officer for Perak to reside at Ipoh. The importance of sanitation in Kinta cannot be overstated. The calls upon the time of the various Medical Officers are so frequent and so constant that hospital work suffers. The reports of the various Medical Officers compel me to make these observations, which are not the result of one year's experience but of many. Our chief aim should be not to give medical relief in hospitals but to give it out of hospital, not to fill our institutions but to relieve them, not to attend to disease when contracted but to endeavour to prevent it. There are about 75,000 miners in Kinta: from them most of our hospitals in Kinta obtain their inmates, while many die without ever seeing a hospital. While care is taken to make towns sanitary, while the labourers on agricultural estates are hemmed round with rules of health, nothing whatever of any description is done for the miners. British miners fee Medical Officers to attend on their labourers, but thousands of coolies live in a manner that courts disease. The officers of the Mines Department visit the mines, but they can give no orders as to sanitation. The remedy is a Health Officer with a small staff and with the addition of a few sections to the Sanitary Boards Enactment.

Revenue and expenditure.

In the Kinta district the Sanitary Boards collected $236,000, and the sum expended was $169,000 which does not include the huge public expenditure on municipal works.

Town improvements.

A system of opening up back lanes, of grading existing and constructing new brick drains, and of pulling down insanitary dwellings has immensely improved Ipoh and Kampar.

Tamil reserve at Ipoh

The Tamil reserve has proved a distinct success. Thirty-two acres of mining land have been handed over for ten years to two leading Tamils, who are responsible for the cleanliness of Kampong Kling and are limited to a maximum rent for the cottages they have built. Two roads through the settlement have been made and a water supply laid on and 217 houses are already in existence. Tamil hovels in the town area are demolished and their occupants are sent to the village.

Larut.

The revenue collected was $67,426. The registration of vehicles has improved and their number has increased. A great deal of drainage has been undertaken in Taiping, Bagan Serai and Parit Buntar with the best results.

EDUCATION.

Its progress since 1890.

Malay art and industries.

In his report Mr. Collinge, the Inspector of Schools, calls attention to the fact that education in Perak seriously began in 1890, and that there is reason for satisfaction at the progress made. Over 150 schools have been established in that time and they are well filled. The English schools have taken up secondary class work with a view to the presentation of candidates at the Cambridge Local examinations. Malay art and industrial training have not been neglected. The Malay schools exhibited a great variety of articles at the Agri-Horticultural Show in Singapore in August and won eleven 1st, twelve 2nd, and four special prizes with eight diplomas. Their work sold for over $1,000.

Proposed English school at Ipoh.

In Ipoh a large Government shool for boys to learn English is to be established by order of the High Commissioner (Sir John Anderson, K.C.M.G.), who takes a keen interest in English education.

Suggestions as to future schools.

"To complete our happiness," as Mr. Collinge puts it, a training college for Malays is required as Perak boys are not inclined to go to Malacca and the supply of trained teachers is poor. He also advocates an English residential school on the Taiping Hills.

This is a scheme which I very strongly pressed upon the Government two years ago. It would enable English people throughout Malaya to keep their children near them till they were 12 years of age in one of the most perfect climates for children in the world.

Amalgamation of the department with the Colony.

Towards the end of the year the Federated Malay States Education Department was amalgamated with that of the Colony under Mr. J. B. Elcum.

New schools in 1906.

Four boys' schools and three girls' schools for Malays were established during the year, and, by the munificence of Towkay Chin Yat Fatt, of Kinta, an Anglo-Chinese free school at Tronoh.

Existing Schools.

The existing schools are classified as follows :—

English	Boys 5	... ...	Girls 3	total 168.
Anglo-vernacular ...	„ 4	... ...		
Malay	„ 117	... ...	„ 27	
Tamil...	„ 8	... ...	„ 2	
Chinese	„ 1	... ...	„ 1	

Enrolment.

The total enrolment is 10,662 children with an average daily attendance of 81 per cent. No less than 1,589 children are being taught English, and their average attendance is 86 per cent.

King Edward VII. School.

> "The material progress of the King Edward VII. School at Taiping stands out as the most prominent and most pleasing feature of the year's work and it is possible for the school to take up with advantage more advanced instruction."

The enrolment averaged 444 boys and the attendance 407. The results of the examination were very gratifying. A very creditable examination in typewriting was passed by 53 boys.

American Mission School at Ipoh.

At the American Mission School at Ipoh for boys the average enrolment was 350 and the attendance 301 ; there were presented for examination 293 boys and three in the Queen's Scholarship course.

English Schools.

The other English-speaking schools are well reported on : there are 229 Malays learning English and they proved themselves to be keen and apt students.

The Malay College.

The Malay Residential School at Kuala Kangsar is to be styled in future "The Malay College." Under the very able management of Mr. Hargreaves it can boast of a prosperous year.

The annual inspection was held in October, all the boys in the school (81 in number) were presented for examination in some one standard or another, and 21 boys obtained seventh standard certificates. It is the first time that a whole school has been presented for examination and that so high a percentage of passes in the highest standard has been obtained. This unprecedented result reflects very great credit on the Head Master and his staff.

The correspondence which led to the foundation of the school was initiated by a memorial from three Malay clerks who desired to be exempted from clerical examinations on the ground that their fellow-countrymen were constitutionally incapable of passing such tests. The success of this school—which is attended by Malays only—shows how little foundation there is for the belief in their racial incapacity. At the same time it is obvious that the Malays need schools of this special type—for they are not successful in others—and it is interesting to see that the type that suits them best is modelled upon the English residential public school. The results of the work of this little school are already visible in the increased number of qualified Malays who are now entering the Government service.

The Raja element has not been a handicap to the school (as pessimists expected). Some of the most promising boys are closely related to reigning Sultans.

The construction of handsome permanent buildings has now been sanctioned for this Institution.

In connection with this school I hope that I may be pardoned for quoting from a speech made by Lord Curzon in India :

> "We desire to raise up a vigorous and intelligent race of young men who will be in touch with modern progress but not out of touch with old traditions ; who will be liberally educated but not educated out of sympathy with their own families and people ; who will be manly and not effeminate, strong minded, but not strong willed, acknowledging a duty to others instead of being a law unto themselves, and who will be fit to do something in the world instead of settling down into fops or spendthrifts or drones."

RAILWAYS.

Mr. C. E. Spooner, C.M.G., General Manager of the Federated Malay States Railways, has kindly supplied me with the following facts and figures.

Mileage Open.

The mileage open to traffic on the 31st December was 428 miles, an addition of over 32 miles owing to the opening of the extension from Tampin to Gemas.

Capital Account.

The Capital Account of the line stood at the end of the year at $41,275,000, of which $17,075,000 are allotted to the Perak and Province Wellesley Section.

Working Profit.

The working profit was $1,572,000, giving a dividend of 3·81 per cent.

The aggregate amount of profits since the commencement of the Railway in 1885 has now reached a total of $15,064,000.

Gross Receipts.

The gross receipts amounted to $4,774,000, being an increase of $715,000 over the previous year. The proportion of working expenses to gross receipts was 65·55 per cent.

PUBLIC WORKS.

Expenditure and Staff.

The total expenditure on public works was just under $2,000,000. Mr. John Trump, the State Engineer, has been of great assistance to me, and many works and roads were continued, begun, and projected which will be of use and in some cases ornaments to the State.

The cost of the staff which carried out the works bore, so far as personal emoluments were concerned, a relation of 5·5 per cent. to the money expended, and the staff was engaged in dealing with no less than 406 separate items in the budget.

Cart-roads.

The mileage of metalled cart-roads is now 602 miles: besides their upkeep in excellent condition, 132 wooden bridges were replaced by pipe culverts and 27 by iron bridges. In some places the roads were widened and a sum of $32,000 was spent in raising portions flooded by mining silt.

Their Damage by Mining.

The Perak miner too often forgets that the Government of Perak might have saved a vast sum of money by keeping the roads on higher ground and by making a contoured roadway from point to point. Distances would have been longer and the cost of cartage to the miner greater, while the miner would have had to construct many more entrance roads than is now the case. The Government of Perak has always insisted on straight flat roads and has done all in its power to further the interests of the miner. Now that immense mining propositions are being worked the miner has, as I have said elsewhere, to learn the lesson of disposing of his tailings in such a manner as not to damage the property of the State, be it land or roads or railway, and the Mines Department must act in concert with the Public Works and Railway Departments in the measures taken for the disposal of silt. The first duty of the Mines Department is to control the miners: its second duty is to assist them.

King Edward VII. School at Taiping.

On the 19th January H.H. the Sultan in the presence of the Resident-General (Sir William Taylor, K.C.M.G.), and a large assemblage formally opened the handsome building in Taiping, now known as King Edward VII. School.

New Courts of Justice at Ipoh.

On the 14th May I opened the new Courts of Justice at Ipoh and formally handed them over to the Chief Judicial Commissioner (Mr., now Sir W. H. Hyndman Jones). This building was originally constructed by the late Dato Panglima Kinta Yusuf for a dwelling house. It is built in massive style, and the timber is seasoned chengal. On the ground floor there is a colonnade round the building and offices for clerks, and on the first first floor there are two very spacious Courts with offices for the Judicial Commissioner, Magistrate, and Court officials. An imposing staircase in a lofty vestibule leads up to the Courts. The building is one of the finest and most convenient in the Federated Malay States.

Krian irrigation works.

On the 8th of August it was my privilege, assisted by Mr. F. St. G. Caulfeild, I.S.O., Director of Public Works, to open the Krian Irrigation Works in the presence of a very large concourse of English and natives, to declare this great work completed and to witness the turning of the water at the head works into the main canal. It is an undertaking in regard to which everyone who, by his influence, forced its commencement deserves to be remembered, and it is a work of which the Perak Public Works Department and especially Mr. Anderson has reason to be proud. From beginning to end it

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was under contemplation and construction for 17 years. In 1889 Mr. Trump made the preliminary report. Construction began in 1899. The total cost has so far been somewhat over $1,500,000. The reservoir is 10 square miles and holds up 1,477½ millions of cubic feet of water. The spill weir, 635 feet in length, is capable of discharging 6¾ millions of cubic feet per minute. The main canal is 21 miles long—there are 15 miles of branch canals and the distributory channels measure about 140 miles. The canal passes under the Kurau river by means of syphons with a dip of 29 feet and rising again resumes its course: the river in flood time has a depth of 24 feet above the pipes. The irrigable area is 70,000 acres and a good supply of potable water is given to the district.

POLICE.

Establishment.

The establishment of the Force was 1,192 and at the end of the year it was only 41 below strength. The Commissioner thinks that the Recruiting Depôt at Kuala Lumpur has justified its existence: I shall take great pleasure in agreeing with him when he is able to increase the Malay strength of the contingent. We have 604 Indians and 457 Malays: we ought to have about 50 per cent. of each nationality, and the disproportion on the last day of the year was greater than on the first.

The men are not as smart in appearance or under arms as they might be, but discipline has been well maintained.

Veterinary branch.

The Veterinary Branch of the Force performed, in the first year of its existence, work that was highly satisfactory, and in 327 prosecutions obtained 308 convictions with fines amounting to $4,600.

Fires.

There was only one serious fire—viz., at Papan—where some $50,000 worth of property was destroyed.

Crime.

There were 17,164 offences reported to the police, or about 900 less than in 1905; but this is due to my having given orders, owing to the overcrowded state of our gaols, that vagrants were not to be arrested. Of the offences reported no less than 2,603 were for breach of contract or of the labour laws: Perak is a mining country and coolies desert a poor mine for a rich one: moreover, last year there was an unusual opening of rubber estates and employers were not too particular to enquire where their labourers came from. For some time this class of offence is in Perak likely to be as regular as the rain.

Offences against labour laws.

Petty thefts.

Then again there were reports of 2,586 minor thefts of which 1,500 were undiscovered. A comparatively slight acquaintance with the natives of the Peninsula makes it easy to disbelieve 50 per cent. of these reports.

Serious crime.

There was a considerable decrease in really serious crime and the percentage of offenders brought to justice was greater: the preventive work has been more effective.

Murders

There were 21 murder cases and 15 discoveries.

JUDICIAL.

Cases disposed of.

The Judicial Commissioner (Mr. L. M. Woodward) disposed of 373 civil and 263 criminal cases and there were 15 appeals before the Appeal Court. In the Lower Courts 5,229 civil and 16,755 criminal cases were taken.

In civil business Ipoh was first with 1,274 suits and Taiping second with 926. On the criminal side Ipoh was again first with 3,342 cases and Gopeng and Kampar (combined) second with 2,921.

Revenue.

The Courts' revenue exceeded $160,000, and yielded an increase of $23,000 over the previous year.

Inquests.

There were 198 inquests: 62 deaths were the result of accidents, 28 persons committed suicide, 25 were drowned and 17 murdered.

PRISONS.

Convic Establishment.

Prison management in the Federation is undergoing a great change and in Perak the comparison with previous years is remarkable. The Taiping prison is being converted into a Convict Establishment for all Federated Malay States prisoners with sentence exceeding one year and the Batu Gajah gaol takes as many Perak short-sentence prisoners as it can accommodate. In my view it is overcrowded if more than 200 are incarcerated in it: the number on the 31st December was 245, but I hesitate to recommend the construction of a second block of cells to hold 156 until arrangements are completed at the Convict Establishment and until all long-sentence prisoners are housed there, for it is still an open question whether, when that is done, there will not be sufficient room in Kuala Lumpur, Seremban, and Batu Gajah for all our short-sentence prisoners. It is also a matter for consideration whether, if more accommodation is necessary for short-sentence men, it should not be provided elsewhere than at Batu Gajah.

Banishment.

The system of banishing to their country of origin habitual criminals has proved successful in keeping down crime and in relieving us of the cost of keeping men who live at the expense of the public either in or out of prison. From Perak alone 160 such criminals were banished and the number of previously convicted offenders was less than in the previous year. The object of the Convict Establishment is to teach prisoners trades at which they will be able on their release to earn a living, and it is not proposed to banish long-sentence men unless it is proved that they are notoriously bad and that their imprisonment has not had a reforming effect upon them.

Numbers in Prison.

The daily average number in the Taipag prison was 649, but on the 31st December this had been reduced to 550, and of these only 44 were, I am glad to record, Malays. The daily average in Batu Gajah was 244.

For the present Taiping receives all short-sentence prisoners from the Larut district with sentences of one month and under and all men under sentence of banishment, while all other Perak short-sentence men are sent to Batu Gajah or to Kuala Lumpur. On the 31st December there were 491 long-sentence prisoners in Taiping and a block of cells to hold 126 more is under construction. When it is finished this Convict Establishment will be able to house about 630, for there is always a percentage in hospital. The female ward in Taiping has been closed and in 1908 it is proposed to erect a small female ward at Batu Gajah.

Health of Prisoners.

The health of the prisoners has been good: beri-beri was less prevalent. There were 20 deaths in Taiping and 25 in Batu Gajah. A new and first-class hospital has been established at the Taiping prison.

Cost of the Prisons.

The cost of each prisoner including all expenditure and after deducting the actual receipts for prison labour was about $8·67 at Taiping and under $8 at Batu Gajah per mensem. At Taiping it will be necessary to increase the British staff, but it is hoped that the extra cost will be counterbalanced by increased receipts from the various forms of labour which will be introduced.

POSTS AND TELEGRAPHS.

Statistics.

The number of articles posted and delivered was 3,300,000, or an excess of about 181,000 over 1905.

The money order business exceeded $1,371,600, or an increase of $216,000. Money order offices were opened at Lenggong and Grit.

Ipoh.

The accommodation at the Ipoh post office has been increased by removing the telegraph instruments upstairs and housing the clerks in new quarters built for them on the Connolly Road.

Upper Perak.

Telegraph offices were opened at Lenggong and Grit and arrangements were made for facilitating the transmission of telegrams between Ipoh and Taiping.

SURVEY.

Revenue and Expenditure.

Despite short-handedness and a mass of applications the Revenue Survey Department under Mr. J. P. Harper did excellent work. It cost the Government $212,000 and earned fees amounting to $61,441, while a good deal of work was unpaid for at the end of the year. The fees on deposit amount to over $200,000 and it behoves the Government to obtain more surveyors to wipe them off and to enable people to obtain their titles.

Staff.

The first grade British Surveyor is said to be the best in the long run, more accurate and more economical.

Kinta.

The Kinta revisionary survey had made sufficient progress to warrant a re-opening of the mining application books for a gazetted area.

Rubber Boom.

The rush of applications for rubber demanded early attention and not unnaturally took that attention in some degree away from native holdings, but the state of unsatisfied applications at the end of the year was more satisfactory than at the beginning and it is well to know that no ground was lost. The amount of work accomplished was creditable.

Cost of Surveys.

One very important feature in my view is that the cost of surveys was cheapened, and I urge the department to greater efforts in that direction.

PERAK RIFLE ASSOCIATION.

Of 148 members 109 completed their firing course and 70 per cent. were returned as efficient.

FORESTS.

Reserves.

The Forest reserves in the State now cover an area of 324 square miles. The mangrove firewood reserves are worked on a twenty-year rotation basis which means that the wood will be almost thirty years old before cutters return to it.

The Pondok Tanjong rubber plantation (*Hevea braziliensis*) is now being tapped and is under a European manager: it contains a good deal of young chengal and merabau, our best hardwoods.

At Trolah (near Sungkai) there are now 658 acres cleared of undergrowth and the gutta percha (*palaquium*) is doing well.

Timber Output.

The out-turn of timber was 31,600 tons but the supply of firewood and charcoal was less, and there is little doubt that miners will year by year use more coal.

GOVERNMENT PLANTATIONS.

Kuala Kangsar.

The Kuala Kansagar Gardens have been leased for 10 years, with stringent conditions as to planting them up with Para rubber.

Teak trees.

The teak trees planted by Sir Hugh Low have been carefully tended and their seed is collected and is being utilised for roadside planting in various parts of the State.

Taiping Lake.

The Public Gardens at Taiping have been greatly improved by silting up the mine holes, and these silt beds are rapidly becoming grassed over.

Para rubber trees in various Government grounds were tapped and yielded a clear profit of $754.

MUSEUM.

Ethnology.

The local Ethnological room is said to contain the most complete Malayan collection in existence.

Economics.

The Economic section has assumed quite an important position, and is the only collection of the kind which has been attempted so far in Malaya.

Want of space.

The Perak Museum was founded in January, 1883, so that it is in its twenty-fourth year. Up to the end of 1906 no less than 13,000 cards had been used in registering and cataloguing its contents, which now demand greater space for their fitting exhibition.

Visitors.

The visitors numbered 61,449, being the greatest number ever recorded.

GENERAL.

The High Commissioner.

The High Commissioner and Miss Anderson visited Perak in September, and His Excellency, together with the Resident-General, discussed and settled the estimates for 1907 at Ipoh.

During that visit the first athletic meeting open to all Engish clubs in Malaya was held at Ipoh and was entirely successful. Miss Anderson very kindly presented the prizes.

His Excellency visited Kuala Kangsar and lunched with the Sultan. He went on to Taiping and was present at a ceremonial parade of the Malay States Guides. He returned to Ipoh by motor car, 54 miles, and inspected Tapah on his way back to Singapore.

Malay States Guides.

On the 12th February His Highness the Sultan presented the Malay States Guides with their regimental colours. The Resident-General was present and so were the Sultan of Selangor, the Yang di per Tuan of the Negri Sembilan and the Residents of Perak and Selangor.

On both these occasions Colonel Frowd Walker, C.M.G., and the Officers of the Malay States Guides entertained their guests at the Regimental Mess.

Lieut.-General Inigo Jones, C.B., held a general inspection of the regiment in February, and later in November came to Taiping to witness field-firing at the new artillery range.

The Sultan's birthday.

On the 19th of June the Sultan's birthday was observed at Ipoh. His Highness was the recipient of a number of addresses from various nationalities. He is not often able to visit Kinta, and the progress of Ipoh surprised and delighted him.

Royal visitors.

His Royal Highness Prince Arthur of Connaught visited Penang and Singapore early in February. At Penang the Guard of Honour was supplied by the Malay States Guides, and the Perak State Band was in attendance. Colonel Walker and I had the honour of meeting his Royal Highness at dinner at the Residency.

To Singapore the Sultan sent his mounted body-guard of lancers, and the late Raja Muda and Raja Chulan proceeded to Singapore and were presented to His Royal Highness.

His Serene Highness Prince Henry XXXII. of Reuss was my guest for about a fortnight at the end of March and was an interested visitor to most of the Kinta mines.

Their Serene Highnesses Princes George and Conrad of Bavaria stayed one night at the Residency in Taiping on their way through the Federated Malay States in December.

Other visitors of note came to the country, some to study one branch or another of our administration and some our natural history.

Malay research.

During the year a memorandum was prepared at my direction to draw attention to the importance of making our younger officials better acquainted with the laws and customs of the Malays, and I addressed the Government upon the matter. It was ultimately made the subject of discussion at the Residents' Conference in December, when it was decided to vote a sum of money for the preparation of a series of pamphlets on subjects connected with Malay research. There was no time to actually publish any pamphlet before the close of 1906, but the following were arranged for and are now appearing :—

Malay Literature I.—Romance, History, and Poetry.
" II.—Fables and Folk-tales.
" III.—Proverbs and Letter-writing.
Malay History I.—The Malays Anterior to British Ascendancy.
" II.—The Early Years of British Protection in Perak (Minutes of the State Council).
Malay Law I.—Introductory.
" II.—The Customary Law of the Negri Sembilan.
" III.—The Ancient Laws of Perak.
Malay Industries I.—Rice-planting.
" II.—Fishing and Trapping.

E. W. Birch,
British Resident.

British Residency,
Taiping, Perak,
24th April, 1907.

FEDERATED MALAY STATES.

SELANGOR ADMINISTRATION REPORT FOR THE YEAR 1906.

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(Extract.)

I.—Revenue and Expenditure.

The revenue of Selangor collected during 1906 amounted to $9,803,184, being $1,323,965 in excess of the estimated revenue. Revenue.

The following table shows the principal items of revenue with the corresponding figures of the previous year :—

—	1905.	1906.
	$	$
Land Revenue	248,920	324,910
Customs	4,069,283	4,281,175
Licences	1,624,651	1,660,467
Federal Receipts	1,972,628	2,344,011

The expenditure for 1906 was $6,414,257, being $771,889 less than the expenditure for 1905, and $818,684 less than the sum estimated. Expenditure.

The principal items of expenditure are as follows :—

—	1905.	1906.
	$	$
Personal Emoluments	774,487	738,836
Other Charges	704,209	798,607
Public Works	1,850,711	1,833,551
Federal Charges	3,717,238	2,883,882

II.—Balances.

On the 1st of January, 1907, the total of the balances standing to the credit of Selangor in the various banks and treasuries was $413,553.

III.—ASSETS AND LIABILITIES.

The assets of the State exceeded the liabilities by $18,543,555, the actual figures being as follows:—

Assets	$18,852,351
Liabilities	308,795

On the 1st of January, 1906, the excess of assets over liabilities was $15,154,627.

IV.—LEGISLATION.

Six meetings of the State Council took place in 1906.

V.—ADMINISTRATION.

Consequent upon the re-arrangement of the Judicial appointments in the States, the office of Senior Magistrate was abolished as from the end of the year 1905, and the work was taken over by the Judicial Commissioners. At the same time the staff of the Court was materially strengthened by the appointment of a Deputy Public Prosecutor in the person of Mr. M. H. Whitley.

VI.—LAND AND AGRICULTURE.

Land Revenue.

The demand for agricultural land in 1906 has far exceeded all previous records in the State, and encouraging as was the advance made in 1905, it was but a prelude to the far larger figures which have been attained in the later year.

Public enterprise in the cultivation of Para rubber has continued to expand. Most of the land offices throughout the State have been constantly engaged in dealing with applications for important areas of suitable country, and prompt commencement has in every case been made to develop these properties as soon as it was possible to permit occupation. The immediate benefit which the State is deriving from this activity is illustrated by the following figures:—

Land revenue,	1904	$322,163
,,	1905	340,360
,,	1906	548,427

These figures are inclusive totals, comprising reimbursements and land sales as well as revenue proper. The excess over the estimated figure is $208,088. Every land office in the State has contributed to this advance, and the figures relating to rents, survey fees and land sales are in each case those which show the most important dimensions.

Particulars of the total revenue are:

Land revenue	$324,905
Reimbursements	10,910
Land sales	212,612
Total ...	$548,427

Land rents.

The continued increase in the amount of rent collected is very satisfactory. The totals for the last three years are:

—	1904.	1905.	1906.
	$	$	$
Land rents	100,147	128,685	172,441
Mining rents... ...	59,885	66,399	69,051
Total	160,032	195,084	241,492

The arrears of rent outstanding in all the offices of the State amounted at the end of the year to $2,924. This is a larger sum than should have been carried over, half of it being due from the district of Ulu Selangor alone, on a rent-roll of some $25,000.

On the other hand, the Kuala Langat Office, on a rent-roll of nearly $28,000, had arrears of $22 only, and Kuala Selangor, with a rent-roll exceeding $33,000, carried over $153.

Registration.

Registration work has increased in volume and value to an extent corresponding to the general enhancement of agricultural interests. A comparison of the figures with those of the two preceding years is instructive :

—	Dealings.	Stamp value.
		$
1904	4,447	19,523
1905	7,301	27,246
1906	8,590	53,783

In the Klang district alone 41 titles were transferred to companies or syndicates, showing a face value of $4,370,000.

Lands alienated.

The figures supplied to the Commissioner of Lands and Surveys have enabled him to arrive at an estimate of about 380,000 acres as the area of land alienated in the State at the close of the year, divided approximately into the following classes :—viz., town and village lands, 1,400 acres ; agricultural land, 310,000 acres, and mining land, 68,000 acres. For reasons mentioned by me in the report for 1905 these figures are offered merely as an indication of the probable area of land disposed of, and not as reliable records arrived at by accurate compilation.

The list of lands alienated during the year comprises 305 town lots, 69,968 acres of agricultural land and 10,791 acres of mining land. On the other hand, there reverted to the State 187 town lots, 1,146 acres of agricultural land and 5,280 acres of mining land. The comparatively large area of mining land which so reverted was the result of systematic action taken during the last two years to enforce the labour conditions of mining leases and to resume leased lands for breach of those conditions. The total area so resumed in 1905 and 1906 was 8,545 acres.

Rubber.

The twelve months which have elapsed since the last Administration Report was compiled have not put me in a position to record any new and noteworthy facts regarding the cultivation of rubber other than the rapid expansion of the industry through all districts of the State. It is, however, worthy of mention as a cause of satisfaction that although another year has further matured the earlier plantations and has made immense addition to the cultivated area, no new or really troublesome enemy has yet appeared on the scene to attack the trees. The white ant is, of course, always with us, and the rubber trees have not escaped his attentions, but the constant vigilance which is kept on his inroads appears sufficient to successfully prevent the occurrence of any serious damage.

Progress has also been made in important matters incident to, but not actually forming part of, the work of cultivation. The relative advantages of various methods of tapping the trees have been further elucidated by another year's experience, and additional knowledge has been acquired regarding the forms and methods of so curing and packing the produce as to place it in the best condition and most attractive form upon the European market. The quantity of rubber exported during the year was 604,670 pounds, on which duty was paid to the amount of $29,386.

Cocoanuts.

The Inspector of Cocoanut Plantations estimates the area under cocoanuts in Selangor as 19,216 acres, being a net increase of about 400 acres as compared with 1905. It appears that the actual area planted with this product during the year was 1,100 acres, but, as a set off against that, over 700 acres of cocoanut trees were destroyed by planters to make room for interplanted rubber.

A recrudescence of trouble with cocoanut beetles occurred in the Klang and Kuala Selangor districts during the earlier part of the year which was very difficult to deal with promptly. The unusually large number of insects which appeared almost simultaneously is attributed by the Inspector to a considerable extent to the destruction of trees on rubber estates, as it was almost impossible to prevent the breeding of beetles in the débris before it could be effectually destroyed.

The native plantations were generally well looked after and proved remunerative to their owners. Those in the Kuala Selangor district supplied about 8,000 pikuls of copra to the Selangor Oil Mills, which have been steadily at work throughout the year, and passed some 16,000 pikuls of copra through the factory.

SELANGOR.

Native holdings.

Signs are now apparent that the native proprietors of agricultural land have begun to realise that their holdings are of marketable value and are worth looking after. This is most generally noticeable in the case of owners of land in the neighbourhood of rubber estates, who are in a position to make profitable terms with planters, to whom the acquisition of their property is often a necessity.

It is not, however, confined to such cases. The prosperous condition of planting and mining enterprise has its effect upon all classes of the community. There is more money in the hands of the people, and this fact, combined with the existence of the policy which discourages the alienation to native applicants of State land adjoining main thoroughfares, has created a demand for lands thus advantageously situated, and fosters an inclination on the part of owners to await a possible further advance in prices. Therefore, in the meantime, we find that the rents on all such holdings are paid with far more punctuality than heretofore, and that there is a general desire to conform to the provisions of tenure, and to obviate all risk of losing the land for non-compliance with the obligations thereby imposed on them.

VII.—MINES.

Output.

While the amount of block tin exported from the State in 1906 shows a slight advance on the figures for the previous year, there is a material reduction in the amount of tin ore which has been taken out of the country, and the total weight of metal despatched shows a decline as compared with the figures of previous years.

The variation in quantities which is exhibited by the figures supplied to me appears to point to the fact that some of our tin producers are beginning to think that it is more profitable to smelt their ore locally, notwithstanding the cost of fuel, than to part with it to smelting firms at ruling prices.

The export figures as compared with those of 1905 are :—

—	1905.	1906.
Block Tin, pikuls	114,687	116,968
Tin Ore "	175,180	151,655
Total metal exported, pikuls	289,867	268,623
Decrease, pikuls		21,244

Price of tin.

The price of tin throughout the year was considerably in advance of that which ruled during the preceding twelve months. The average rates for the past three years are :—

1904	$76·55 per pikul.
1905	80·87 "
1906	89·59 "

The highest and lowest prices touched in 1905 and 1906 were :—

1905	$88·50 and 76·12½
1906	102·00 " 80·25

Notwithstanding, therefore, that the output fell off by over 21,000 pikuls, that decline was more than counterbalanced by the advance in prices, so that the revenue from this source shows an advance of nearly $162,000.

The value of the metal exported in 1906 was $23,831,220, and the export duty paid thereon amounted to $3,357,033.

Mining labour.

The number of mining coolies employed in all parts of the State, as ascertained by the census taken in December, 1906, shows a slight diminution as compared with the total for the previous year. The numbers are 74,179 in 1905 and 71,243 in 1906.

The labour forces of the two years were distributed as follows :—

—	1905.	1906.
Contract coolies (Nai Chaing)	21,605	18,210
Wages coolies	8,351	6,808
Share coolies	44,223	46,225

SELANGOR.

These figures indicate continuance of the tendency—always observed when the price of tin is high—to set aside the system of payment by fixed wages in favour of a speculative interest in the prospect of the mine on which the labourer works.

Labour-saving appliances.

The number of mining engines working in the State at the close of the year was 232, equivalent to a horse power of 2,473, or a force of nearly 20,000 labourers.

Prospecting licences.

Thirty-eight prospecting licences were issued, embracing an area of nearly 10,000 acres.

Alluvial mining.

The Warden draws attention to the fact that a considerable area of land which has already been worked by means of shafts is now being further exploited by open-cast methods. The factors which have combined to make this expedient profitable are the high price of the metal and the economy effected by the introduction of labour-saving appliances.

In the month of November last I performed the opening ceremony at a mine near Serendah, in the Ulu Selangor district, in which hydraulic monitors, long in use in Perak, have been for the first time introduced into Selangor. Three monitors have at the time of writing been in use for five months, and I am informed that the profits have exceeded expectations to an extent which is exceedingly gratifying to the shareholders.

Arsenical ores.

The question of the reduction of arsenical ores, to which allusion was made in my last report, has been the subject of much deliberation during the year, and is still under consideration. The reports of the Mines Department and the recorded opinion of the Health Officer have established the fact that while ore of this description is obtainable in such quantities as to constitute it a factor of some importance in the local mining industry, the effect upon human and vegetable life of the crude methods of reduction which have hitherto obtained is so deleterious that an essential condition precedent to the further prosecution of the industry must be the construction of furnaces which shall be capable of concentrating and absorbing the irritating fumes. I have reason to believe that I may be able to report at a later date that this has been accomplished.

VIII.—SURVEYS.

Trigonometrical

The trigonometrical work performed in Selangor in 1906 was comparatively unimportant. Six new minor stations were fixed in Ulu Selangor and three in other parts of the State. Two new sites were cleared and beaconed, and 13 old sites were re-cleared. About 35 miles of river surveys were completed.

The cost of trigonometrical work debited against Selangor in 1906 was $11,977.

Revenue survey.

The field work of the department performed in 1906 is summarised in the appended table, and there compared with the work of the preceding year :—

—	1905.	1906.
Town and Village Lots Surveyed	83	599
Mining Lands (acres)	8,708	4,777
Agricultural Lands (acres)	29,543	43,270
Demarcated (acres)	7,200	6,114
Traverse (miles)	313	285

Additionally a special and heavy work commenced during the year was the survey of the protective forest belt separating the coastal estates from the hinterland. At the end of the year about 70 miles of difficult jungle country had been surveyed and marked with pipes, but the work has not yet been completed.

Further, five blocks of forest reserve, aggregating an area of 46,322 acres, were surveyed, partly by the Revenue Survey Department and partly by the Forest Surveyor.

The drafting office shows plans completed in 1906 and compared with the work of 1905, as under :—

—	1905.	1906.
Grants	624	495
Certificates of Title	622	250
Mining Leases	822	530
Extracts from Mukim Registers	2,130	3,092
Prospecting Licences	18	10
Mining Certificates	44	46
Town Lease	—	1
Burial Licence	—	1

The returns above set out, especially those relating to field work, are eloquent testimony to the strenuous endeavour made by the department to keep abreast of current requirements. The amount of work accomplished, usually under aggravating conditions and in difficult situations, is highly creditable to the Superintendent and his staff, but the fact nevertheless remains that the survey work is not keeping pace with the alienation of land. Arrears, which it is not in the power of the department to cope with, are steadily accumulating, and if the demand for agricultural and mining land continues for some months longer at a rate equivalent to that which has been experienced during the past year, there will be a mass of work on hand which, with the staff at present strength, will take years to wipe off.

This is a condition of things of which the public have just cause to complain. The Government approves applications for land, and at the same time demands deposit of the survey fees thereon, thereby impliedly undertaking the obligation to issue title therefor within a reasonable time, therefore the staff of the Survey Department—both in the office and in the field—should be maintained at a numerical strength and at a standard of professional qualification which will furnish accurate results without unnecessary delay.

If a certain amount of work has to be done at a certain cost, it would appear to be the better and more economical policy to put it through promptly and have done with it, rather than to allow it to drag out over an indefinite period to the dissatisfaction alike of those who are responsible for the performance of the work and of those who are waiting to have it done.

The only comment on the above proposition which it seems necessary to offer, is furnished by the fact that at the close of the year under review, the amount of money deposited by the public on account of surveys required but not undertaken was $161,726. I should hesitate to offer an opinion as to how long a period is likely to elapse under present circumstances before the depositors of that large sum of money receive value in respect of it.

Labour.

The Superintendent reports that an additional obstacle encountered during the past year has been the difficulty of obtaining and retaining the services of labourers to work in the Surveyors' field gangs. This is largely due to the counter attraction offered by the numerous new estates, and the trouble is principally felt in the Coast districts, where the arduous duties required of a surveyor's gang compare very unfavourably in native estimation with the opportunity of obtaining service under a less exacting and possibly less experienced employer. In the Kuala Selangor district survey work was on more than one occasion brought to a standstill on account of want of labour.

Map.

The Superintendent reports that the new map of the town of Kuala Lumpur was in hand during the year, but that little progress was made with it as it was only possible to detail one man both for the survey work and the drawing. Further, as matters now stand it is not possible to accelerate that progress.

Revenue and expenditure.

Against an estimated expenditure of $230,400, the actual outlay was $149,183 only, leaving an unexpended balance of $81,217.

On the other hand, $79,084 were collected, on an estimate of $47,710.

IX.—FORESTS.

Reserves.

The area included in the Forest reserves of the State at the close of the year was 129,321 acres. Four new blocks, situated, respectively, at Ayer Hitam, Kuang, Bangi, and Ulu Gombak, and aggregating 39,917 acres, were added during the year, and the Kerling reserve of 8,160 acres was withdrawn.

SELANGOR.

Thirty-nine miles of new boundaries were cut, bringing the total boundary mileage to 148. Of this number, 43 miles consist of road and water frontages which require no expenditure on maintenance.

Plantations.

The plantations on Circular road, Kuala Lumpur, have made good progress, and "casuarina" has done fairly well at Serendah. Eighty acres of the Rantau Panjang reserve were planted with 5,500 gutta-percha seedlings, and 500 more were set out in the Weld's Hill reserve, Kuala Lumpur.

Revenue and expenditure.

The financial returns of the department for the two preceding years exhibit the following totals:—

—	1905.	1906.
	$	$
Revenue	156,892	150,100
Expenditure	58,178	52,868

The Conservator attributes the decrease of revenue to the enhanced difficulty of obtaining timber, particularly near the principal centres and in the proximity of roads, in consequence of the extensive clearing operations carried out by the planting community. It appears that a considerable proportion of the timber used in this State is now imported from the Negri Sembilan. There is, of course, an immense area of valuable forest land still available in the State, but it is not sufficiently accessible to make it practicable to bring timber from it to local markets.

X.—PUBLIC WORKS.

Revenue and expenditure.

The department of Public Works collected a revenue or $37,626, the principal contributions to which were the Factory revenue and the proceeds of the sale of stores.

On an inclusive provision of $2,606,509, expenditure was incurred amounting to $2,082,382, leaving an unexpended balance of $524,126. Analysis of that balance shows that the savings were distributed as follows:—

Savings on Personal Emoluments	$ 34,470
Saved on sanctioned Estimates	147,500
Crown Agents' unfulfilled indents	62,600
Works postponed by instruction	68,800
Uncompleted contracts	168,720

Works and buildings. Maintenance.

The number of Government buildings in the State, exclusive of those which are the property of the Federal Government, was 922, and their estimated value was $15,380,840. They were maintained during the year at a cost of $50,335.

Special services.

Of $764,470 provided for new works and buildings, the sum of $550,950 was expended. The programme consisted of 136 items, of which 127 were completed. The principal works in hand were the new Post Office, Kuala Lumpur; Land Office, Kuala Kubu; Hospital Ward, Klang; Iron Markets at Batu Road and Port Swettenham, extension of the Gombak river wall, and the Lighthouse Tower, Kuala Selangor. The latter work has been delayed much longer than was anticipated, on account of the non-delivery of the iron work ordered through the Crown Agents.

Roads, streets, and bridges. Maintenance.

Expenditure under the annually recurrent vote amounted to $535,067, of which $501,393 was laid out upon the upkeep of roads and paths, with mileage as follows:—

Metalled cart roads	438·34 miles.
Gravelled ,, ...	62·34 ,,
Natural earth roads	48·04 ,,
Bridle paths	213·97 ,,
Total mileage	762·69

The average cost of maintaining town streets, 40 feet in width, was $1,087 per mile, and that of maintaining country roads, 16 feet wide, was $870 per mile.

Fifteen thousand one hundred and thirty-eight dollars was expended on brick drains and $13,846 on improving the traces of main roads.

SELANGOR.

The principal roads which traverse the State were for the most part laid out at a period when the country was covered by heavy jungle and when the traffic was infinitesimal compared with that of the present day. Subsequent opening of the country has afforded a clearer perception of the lie of the land, and it is now found practicable to materially improve the principal thoroughfares by easing gradients, flattening or eliminating corners, and in some instances by avoiding hills by deviation. Also, as roads of 16 feet in width cannot adequately carry the traffic of the present day, the work of widening to 20 feet will be carried out by degrees.

Special services.

One million one hundred and seventy-three thousand four hundred and thirteen dollars was spent under this heading. Eighteen miles of metalled roads, eight miles of natural roads, and six miles of bridle-path were under construction during the year, and $270,180 were expended. The principal works in hand were the new road to the Pahang boundary at Ginting Simpah, the Petaling road, and the Damansara Valley road.

Iron bridges were erected on Campbell Road, Kuala Lumpur, and over the Batang Kali on the Kuala Kubu road. An iron overhead footbridge was placed over the railway line at Kajang Station, and a number of less important bridges throughout the road system of the State were erected in substitution for the former wooden structures. The amount spent on new bridges was $29,873.

Factory.

Although the number of orders placed in 1906 was in excess of that of the previous year, the nett profit realised by the year's work was considerably less, owing to the absence of orders of any magnitude. Seven hundred and fifty orders were closed, including 155 carried over from 1905. The gross receipts amounted to $280,665 and the expenditure was $253,941, leaving a gross profit of $26,724. Of the latter sum $24,584 was refunded to the Government. The refund covers the cost of the salaries and allowances of the staff for the year, 5 per cent. interest and depreciation on the factory account and timber depôt, and other minor items. The nett profit, after deducting the sum so refunded, was $2,140.

Water-works.

There was a grave scarcity of water in Kuala Lumpur for some months of the year, and the experience of the past twelve months has emphasised the necessity of an immediate and substantial amplification of the supply. During the month of August there were never more than six inches of water above the bottom outlet of the impounding reservoir, and spill level was not again reached during the year. Notwithstanding that private supplies remained closed, and that waste from the public taps was restricted as far as possible by the erection of 73 dipper fountains in place of the public stand pipes, the consumption for the year was estimated at rather less than 200 million gallons.

The impounding works and supply lines were efficiently maintained, and the latter were extended by the laying down of six additional mains for the supply of suburban areas.

Under the supervision and with the personal assistance of the Director of Public Works, F.M.S., a complete scheme for the enlargement of the existing water supply has been elaborated. It has been submitted to and carefully examined, both on paper and on the ground, by Mr. R. Peirce, M.Inst. C.E., Engineer to the Singapore Municipality, whose services were kindly placed by that body at the disposal of the Selangor Government for the purpose. Mr. Peirce's full report has not been received at the time of writing, but as he has intimated in a preliminary communication his general concurrence with the scheme, it may be understood that it will now be proceeded with. The contemplated work includes the following principal improvements—Material extension of the catchment area at Ulu Ampang and the tapping of the sources of supply at a higher point than the present intake; also the construction of a low level service reservoir on Weld's Hill for the supply of the town proper, the present service reservoirs being retained as a high level supply to the buildings on the more elevated situations of the suburban area. The estimated cost of the extension is $564,000.

Electric light.

The hydraulic generating station at Ulu Gombak continued to supply power throughout the year, but up to the end of August the plant was run at night only for the purpose of lighting such street lamps and private installations as had been erected. It was not considered advisable to accept the installation in substitution for the system of street lighting by oil lamps until the auxiliary steam engine had been erected at the sub-station, in order to guard as far as possible, by means of two alternative sources of power, against the contingency of failure by stoppage of the hydraulic plant or interruption of the transmission line. This work was completed in August, and oil lighting on the streets and roads on which electric fittings had been erected was discontinued as from September 1st, from which date also the Sanitary Board commenced to collect revenue in respect of the supply.

The cost of running the generating and central stations, including personal emoluments and all charges for maintenance of cable installations and connections, was $43,354 for the year. The revenue collected during the last four months of the year amounted to $14,339, the monthly receipts gradually increasing as additional installations were completed. The collection for December was $9,106.

The sources of the revenue collected were :—

Street lighting	$5,944
Government quarters	2,319
Private and shop houses	1,111
Railway station and yard	251
,, workshops	4,714
Total	$14,339

The mileage of mains at the end of the year was 18½ miles overhead and 5½ miles underground, in addition to 9¾ miles of transmission cable. The current supplied is, approximately, equivalent to 11,820 8 c.p. lamps, and is distributed among 117 buildings, and 57 arc lamps, two Nernst lamps and 480 glow lamps for street lighting, in addition to the railway workshops, station and yards.

An Electric Supply Enactment with rules thereunder was published on the 13th August.

Drainage.

Some 19 miles of drains, affecting an area of rather over 3,000 acres, were maintained during the year. Over 28 miles of new drains in the Coast districts were constructed at a cost of $44,750. Assessment not exceeding one dollar per acre per annum is payable in respect of agricultural drains by the proprietors of the estates benefited thereby.

Labour.

The department imported 678 Indian labourers at a cost of $19,270, who were distributed throughout the various districts of the State. The State Engineer reports that owing to the demand for labour created by the opening up of estates, and the proportionately high rates of wages ruling thereon, it was very difficult to prevent coolies from absconding, and a considerable number consequently disappeared.

XI.—CHINESE PROTECTORATE.

Immigrant Labour.

The records of the Protectorate show that 37,911 persons of Chinese nationality entered the State in 1906, the excess of immigration over emigration being 12,984. There was a material decrease in the number of labour contracts which were registered. As against 286 engagements registered in 1905, only 37 came before the Protectorate in 1906, and 19 of these were for work in Pahang. The number of unpaid passengers whose obligations were discharged by their friends on arrival advanced from 342 to 500. Ten licences were issued for Chinese passenger lodging houses at Kuala Lumpur, Kuala Kubu, and Port Swettenham. The condition of these establishments is regularly supervised by the Health Officer.

Home for Women.

As reported on previous occasions, the number of cases which were brought to the Home from other States forms but a small portion of the total number of admissions, of 96 persons who entered in 1906, all but nine were sent by Selangor. The total number of inmates during the year was 103, of whom 92 were discharged. The Protector points out that the large increase in the number of admissions, at the request of the women themselves, is satisfactory evidence that the Home is now looked on with much more favour than in former years. Six children were given in adoption under bonds, six girls were married from the Home, and nine others were placed out to work as domestic servants.

Protection.

Eleven hundred and sixty-nine inquiries were held under the Protection Enactment; 278 women were rescued; 30 new bonds were executed and 54 cancelled, leaving 53 in force at the close of the year.

Banishment.

A more extended use of the powers vested in the Government of the State by the Banishment Enactment has been productive of excellent results, the number of habitual criminals having been very materially reduced. Two hundred and ten persons of Chinese nationality were banished for life, among them being three members of the Triad secret society, one professional injector of morphia, and one smuggler of morphia.

Chinese hospitals.

The number of inmates in the Tai Wah Ward at the close of the year was 115. These are all persons who are permanently disabled. A new ward containing 40 beds was opened in April last, and the increased accommodation thus provided has had the effect of raising the average daily number of patients from 81·22 in 1905 to 106·69 in 1906.

The returns of the Tung Shin Yi Yun Hospital for the year under review are very similar to those recorded in respect of the previous twelve months. There were 2,014 admissions and 1,460 discharges. Eighty-five patients remained on the 31st December. The balance to the credit of the committee rose from $7,126 to $9,667.

XII.—TRADE AND SHIPPING.

Trade.

The total sea-borne trade of this State for the year 1906 is valued at $50,561,827 as compared with $51,326,935 for 1905, a decrease of $765,108.

Imports amounted to $23,598,469, a decrease of $1,045,150, of which coin and bullion account for $867,984. Exports amounted to $26,963,358, an increase of $280,042. Excluding coin and bullion the increase was $342,347.

It may be noted that while the value of rice and opium imported shows a decrease, the quantity imported is greater than that of the previous year. Raw materials and manufactures show an increase.

There was a falling off in the value of the exports of live animals, foods, drinks, narcotics and sundries, while raw materials and manufactured articles give increases. An interesting feature of the trade returns is the fact that the quantity and value of the Para rubber exported during the year amounted to more than four times the quantity and value of that commodity exported during the previous year. The increase must be regarded as highly satisfactory.

The following is a summary of values of the Selangor trade during the past five years :—

Year.	Imports Value.	Exports Value.	Total Value.
	$	$	$
1902	21,201,078	25,025,614	46,226,692
1903	21,056,267	27,960,054	49,016,321
1904	21,351,679	27,827,920	49,179,599
1905	24,643,619	26,683,316	51,326,935
1906	23,598,469	26,963,358	50,561,827

Shipping.

The number of merchant vessels which entered Port Swettenham in 1906 is returned as 1,213, and the number of ships cleared as 1,214. These numbers represent a decrease as compared with those of the previous year, but the aggregate tonnage amounted to 979,211 tons as against 895,935 for 1906.

Fourteen ocean-going steamers, with registered tonnage varying from 1,950 to 3,610 tons, entered the port during the year. The B. I. S. N. Co.'s s.s. "Thongwa" and "Teesta" (both 3,428 tons registered) called fortnightly during the latter part of the year with the Trans-Indian Mail and immigrant Tamil coolies for the rubber estates.

XIII.—POSTS AND TELEGRAPHS.

The following particulars relating to the work of the Postal department in Selangor have been obtained from the report of the Director of Posts and Telegraphs to the Resident-General. The Government of the State no longer exercises any supervision over postal and telegraphic business.

Correspondence.

The number of packets posted in Selangor in 1906 was 1,203,384 and 1,244,724 packets were delivered, making a total of 2,448,108 packages which passed through the post offices of the State. The increase, as compared with the correspondence of 1905, is 475,794 packages.

Money orders.

The business done in money orders during the two last years is represented by the following values :—

Year.	Issued.	Paid.	Total.
	$	$	$
1905	551,108.83	133,272.91	684,381.74
1906	719,314.71	164,482.99	883,797.70

Increase in 1906, $199,415.96. Money order offices were opened at Port Swettenham, Sungei Besi and Rawang.

Post offices.

Two additional names were added to the list of places at which postal business can be transacted. The Station Masters at Padang Java and Batu Caves were authorised to sell stamps and to receive and deliver letters. These small stations are situated in the neighbourhood of rubber estates, and the arrangement is a convenience to the local communities.

Telegraphs.

I have no information relating to Selangor telegraphs as distinguished from the telegraph business of the four States of the Federation as a whole.

Telephones.

The advantages of the telephone exchange have been more widely appreciated, and the Director reports that the number of applications for connection largely exceeded anticipations. The fees collected in stamps for conversations over the trunk wire between Kajang, Kuala Lumpur, Klang, and Port Swettenham, realised $1,002 as against $656 in 1905.

XIV.—COURTS.

By the Courts Enactment, 1905, which came into operation on the 1st day of January, 1906, material change was made in the constitution of the Civil and Criminal Courts of the State. The Court of a Judicial Commissioner was substituted for that of the Senior Magistrate, with appellate jurisdiction to review the decisions of the Lower Courts. The Court of Appeal is constituted of two or more Judicial Commissioners.

The distribution of the various classes of work among the different Courts is exhibited in the appended statement :—

——	Court of Appeal.	Judicial Commissioner.	Magistrates.
CRIMINAL CASES :—			
Appeals	6	42	—
Cases	—	147	12,274
CIVIL CASES :—			
Appeals	8	50	3
Suits	—	379	3,370
Probate, &c.	—	80	—
Total	14	698	15,647

The work performed compares with that of 1905 as follows :—

——	Criminal.	Civil.	Total.
1905	10,579	3,681	14,260
*1906	12,660	4,500	17,160

Revenue.

The sum of $49,713 was received by the Criminal Courts of the State and $56,170 was collected on the Civil side, making a total revenue of $105,883. The estimate of $93,850 was exceeded by $12,033.

Inquests.

Inquiries of deaths were held in 104 cases. The findings included 24 cases of death by misadventure and six cases of murder.

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* Including returns from the Courts of Native Magistrates, not recorded in previous years.

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XV.—POLICE AND CRIME.

Strength.

The strength of the local Police Force at the close of the year under review was one Deputy and one Assistant Commissioner, 10 Inspectors, and 573 non-commissioned officers and men, this number being less than the authorised establishment by 68. The Indian contingent, of whom the large majority are Sikhs, numbered 310, and the Malays 263. There were also 39 detectives, of whom 30 were Chinese.

Health.

The health of the Force was again generally satisfactory. The stations at which sickness most usually occurs are Jugra and Sangka Dua, and in these places improvement has been noticed during the past year, which the Deputy Commissioner attributes to careful supervision of the men, the regular administration of quinine, and the system of transferring the men every three months.

Discipline.

The Police officers are satisfied that there is continued improvement in the conduct of the Force, which view is confirmed by the recorded diminution in the number of such offences as absence from duty, drunkenness, violence, and desertion. Some difficulty has been found in impressing upon the men, especially on the Malay contingent, the importance of smartness upon beat duty, but notwithstanding such deficiencies the Force is probably at the present time in as high a state of efficiency as it has yet attained.

Twenty-two offenders were dealt with by the magistrates, and of these eight were dismissed the Force. One Indian constable was executed for murder.

Revenue and expenditure.

The department collected the sum of $32,368 as revenue, exceeding the total of 1905 by $7,773. The expenditure was $112,397 as compared with $174,250 in the previous year.

Veterinary police.

A small body of men was formed at the commencement of the year for the purpose of enforcing the orders of the Government in cases of outbreaks of disease among stock. The cause of the expedient was the difficulty experienced in preventing the native community from moving animals into and out of proscribed areas. These men were placed under the orders of the Chief Police Officer for purposes of discipline, and the report upon them is to the effect that they have carried out much excellent work.

Crime.

Although the total number of offences reported to the police in 1906 is somewhat in excess of that recorded in 1905, the increase is found among non-seizable offences of minor importance, and a satisfactory diminution in the amount of serious crime is observable. Even the advance in the number of small offences is in one respect satisfactory, as evidencing greater watchfulness on the part of the police and others and recognition of the propriety of taking action in matters which were formerly allowed to pass without notice. Such cases are those of cruelty to animals, as many as 466 of which were brought up by the police during the year. The total number of cases of all descriptions reported during the year was 10,153, of which 8,623 were discovered. The corresponding figures in 1905 were 9,078 and 7,069.

I again set out in detail the particulars relating to the more serious offences, as below :—

——	Discovered.	Undiscovered.	Total.
Murder	14	2	16
Culpable homicide ...	2	—	2
Gang robbery ...	18	49	67
Robbery	37	92	129
Housebreaking ...	17	36	53
Serious theft ...	36	126	162
Forgery	6	—	6
Counterfeit coin ...	9	—	9

As in former years, the cases exhibiting the smallest percentage of discoveries are offences against property. I may again observe that this result is largely due to the people themselves, who are not only dilatory and apathetic in reporting their losses, but occasionally make reports which are wholly wanting in detail or entirely devoid of foundation.

I have no doubt that a principal cause of the diminution of serious crime is to be found in the more extended use of the Banishment Enactment and in the operations of the newly established Registry of Criminals. It is no longer possible for professional offenders to carry on their business with a continuity broken only by periodical intervals in prison. The first effectual check to future operations is provided by the entry of their records in the registry; those records serve to put in motion the procedure which removes them permanently to the countries from which they came.

Banishment.

Two hundred and twenty-one persons were banished, and two were sentenced to imprisonment for returning to the State.

Criminal Registry.

The work performed by this new and most important branch of the department will no doubt be fully reported on by the Commissioner of Police, but it is due to those responsible for its organisation and conduct that I should make some acknowledgment on behalf of this State of the valuable assistance rendered in the identification of local offenders. With 7,750 offenders registered in the books, there is good cause to believe that there can be but few persons with criminal histories who have succeeded in escaping the attentions of the recording officers.

XVI.—PRISONS.

The last Administration Report recorded a material increase in the number of prisoners confined in the Central Gaol. On the present occasion it is possible to show an equally substantial diminution. Six hundred and five prisoners remained on the 31st of December, 1905. Two thousand seven hundred and two were admitted during the year, including 380 from other States. Two thousand six hundred and three were discharged. One hundred and eighty-seven were transferred, nine died and four were executed, leaving 504 in custody on the last day of 1906. Excluding the transfers to and from other States, which are matters of inter-State arrangement and have no bearing upon local conditions, we find that the number of prisoners admitted was less than that in the previous year by 186, and as a larger number of persons were discharged in the later year, the reduction of numbers would have been even larger than is recorded were it not that the nett result of the transfer operations was an addition of nearly 200 prisoners to the Selangor establishment. The factors which have contributed to the accomplishment of this reduction have been, as elsewhere stated, the operations of the Criminal Registry and more extended use of the procedure under the Banishment Enactment.

Six hundred and ninety-five civil prisoners were committed in 1906, of whom 33 remained on the 31st December. Twenty-one females were admitted, of whom 14 were sent from other States.

Health.

The health of the prisoners was very satisfactory. The number of admissions to hospital dropped from 300 in 1905 to 267 in 1906, with eight deaths as against 14 in the previous year.

Whereas 96 cases of beri-beri occurred in 1905, there were 34 only in the succeeding year. Of these, four cases only originated in the prison—the remainder either had beri-beri when sentenced or were relapsed cases with a previous history of the disease. There was one death from this cause.

Discipline.

Although I am again able to report that no serious offence was committed by any inmate of the prison, the number of minor cases of breach of prison discipline shows an advance over that of the previous year which is unsatisfactory, particularly when the reduction in the number of prisoners is taken into consideration. The figures quoted in the Administration Report for 1905 record the number of offences committed, but this has been found to be somewhat misleading, as two or more offenders are frequently included in one case. The figures now given have reference therefore to the number of offenders. Four thousand and thirty-nine prisoners were convicted of breaches of discipline in 1906 as against 3,891 in 1905. About half this number were charged with idling and not completing their tasks.

The increase in the number of short-sentence prisoners now received in this establishment involves the imposition of more tasks of a hard and distasteful nature, such as stone-breaking. A large proportion of the new arrivals show their discontent by neglecting to perform the work allotted to them, which neglect is the most prolific source of prison punishments.

Nearly two-thirds of the number charged were relegated to punishment diet, but this treatment is not of sufficient severity to deter the prisoner from repeating his offence. He would rather submit to the punishment than to the task. If prison discipline is to act as

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a deterrent which will cause the Chinese criminal classes to look with disfavour on the possibility of a return to its sphere of influence, the punishment for neglect or refusal to work should be of a nature which will be more unpleasant to the offender than the task itself, and should be such as will appeal promptly and directly to his physical equanimity.

Recidivists

The Superintendent reports a very marked and general decrease in the number of recidivists in 1906, notwithstanding that the operations of the Criminal Registry ensured their detection with far more certainty than in former years. The figures fell from 471 in 1905 to 393 in 1906. Of the latter number, 73 had three or more previous convictions, and 333 of them were of Chinese nationality.

Prisoners' work.

The intramural industrial work which has been successfully carried on for some years almost ceased in October last, when the long-sentence prisoners were transferred to the Convict Establishment at Taiping, Perak. Up to that time the usual industrial works were carried on with success, the book-binding being particularly worthy of mention as a useful and profitable employment for long-sentence men of good character. The total value of articles manufactured was $5,655.

Revenue and Expenditure.

Prison revenue for the year was $8,079. The expenditure was $80,776, giving an average inclusive cost per diem for each prisoner of 40·11 cents. The average cost of diets per prisoner per diem was 11·81 cents.

XVII.—EDUCATION.

One additional vernacular school for Malays was opened during the year, bringing up the number of all schools to 54, of which seven are grant-in-aid establishments and the remainder are country schools giving instruction in native languages. The number of pupils enrolled in all schools was 3,546 at the end of the year, or about 300 more than in 1905. This increase is divided among the grant-in-aid schools, and there is a slight diminution of the numbers attending the vernacular schools. The Inspector points out that this falling off is particularly noticeable in those schools which are situated in the neighbourhood of European estates, and it is ascribed by him to the emigration of native land owners who have disposed of their holdings to the estate proprietors.

The Victoria Institution at Kuala Lumpur remains at the head of the grant-in-aid schools with 497 pupils, approximately the same number as in 1905, but both the Methodist Boys' School and the St. John's Institution have largely increased their enrolment, that in the case of the former establishment having been more than doubled.

The usual table of enrolment and attendances at all schools for the past five years is appended :—

School.	1902.			1903.			1904.			1905.			1906.		
	Enrolment.	Average attendance.	Percentage.	Enrolment.	Average attendance.	Percentage.	Enrolment.	Average attendance.	Percentage.	Enrolment.	Average attendance.	Percentage.	Enrolment.	Average attendance.	Percentage.
Government Vernacular Schools (47).	1,652	1,361	82	1,798	1,490	82	1,908	1,592	83	2,052	1,727	83	2,037	1,701	84
Victoria Institution	537	503	93	535	507	94	485	451	93	494	438	88	497	466	92
St. John's Institution ...	...	...	...	...	...	...	101	89	88	202	180	89	272	239	88
Methodist, Boys'	67	59	88	60	53	86	89	69	78	158	134	84	369	330	89
Anglo-Chinese, Klang ...	39	35	89	45	40	89	33	29	88	50	44	87	60	49	82
Convent	143	140	98	132	128	96	129	127	98	153	150	97	153	147	97
Methodist, Girls'	45	39	87	66	59	88	93	74	80	85	72	86	106	91	86
Chinese, Girls'	...	...	...	...	...	...	...	...	...	43	34	77	52	41	79
Total	2,481	2,137	...	2,635	2,277	...	2,849	2,381	...	3,237	2,779	...	3,546	3,064	...

Technical education.

The endeavour to interest the pupils of the vernacular schools in the native arts of the Malay people was continued, but I endorse the expressed opinion of the Inspector of Schools that it is very doubtful whether any of the children will make practical use in after life of what they are now being taught. He observes that they take up the work at school because it interests them for the moment, but their ultimate means of livelihood lie in other directions, and the very moderate amount of skill acquired during their school time will not tempt them to pursue the occupation in later days. Three first and two second prizes for netting, wood carving, &c., were taken by the pupils of Selangor Malay schools at the Agri-Horticultural Show in Singapore, and a special prize for embroidery was secured by the Malay Girls' School, Kuala Lumpur.

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Malay Residential College.

Seventeen Selangor boys, including nine sons of Rajas, were being educated at Kuala Kangsar during the year. The Headmaster has reported most favourably on all of them. One of them had the distinction of being reported to be the best boy in the school. He received an appointment on the staff of the college at the commencement of the current year.

XVIII.—HEALTH.

The health of the general community of the State has not differed materially from the conditions recorded in the two preceding years, but the large influx of Indian labour, which took place in 1906 for work upon newly opened rubber estates, has greatly enhanced the number of admissions to the district hospitals and has also been instrumental in raising the death-rate. The figures for the past three years are :—

Year.	No. treated.	No. of Deaths.	Percentage.
1904	14,319	1,534	10·71
1905	16,382	1,856	11·73
1906	18,963	2,428	12·80

The most noticeable increases occurred at the district hospitals, Kuala Lumpur and Klang. In the former case the number of patients under treatment rose from 88 on the 31st December, 1905, to 161 on the same date in 1906. In the latter instance the numbers on the same dates were, respectively, 110 and 199. It was found necessary to erect temporary emergency wards at the Klang hospital to provide accommodation for the unusual number of admissions.

Prevailing diseases.

A large majority of the admissions were due to malarial fever and bowel complaints, for the most part contracted upon agricultural estates or by the members of working parties in outlying jungle country.

Disease.	No. treated.		Deaths.		Percentage.	
	1905.	1906.	1905.	1906.	1905.	1906.
Beri-beri	2,215	1,896	330	365	14·89	19·25
Malarial Fever	2,109	3,397	173	348	8·20	10·24
Pulmonary Diseases	1,078	948	284	262	26·34	27·63
Dysentery	958	1,224	303	437	31·62	35·70
Diarrhœa	592	910	168	344	28·37	37·80

Beri-beri.

Beri-beri has on the whole been less prevalent than usual throughout the State, the number of cases treated having been smaller in 1906 than in any period of twelve months during the last six years. The number of deaths has, however, slightly increased in consequence of the acute type of disease which occurred in the district of Ulu Selangor, the death-rate at the Kuala Kubu hospital having been as high as 37·7. There was no serious outbreak of the disease in any part of the State, and the immunity enjoyed by the Central Prison gives cause for satisfaction.

Malarial fever.

The marked increase in the number of cases of malarial fever is chiefly attributable, as above stated, to the large additions made to the force of Indian labourers engaged upon estate work. A considerable portion of this body of immigrants arrived in a condition of physical decrepitude which gave them little chance of successfully resisting exposure to malarial influence, and while slight increase in the disease has been noticeable in most districts, the Klang division has suffered from severe outbreaks which have affected practically the whole of the labour force of this populous neighbourhood.

The towns and suburbs of Klang and Port Swettenham, where the efforts of District Surgeon Dr. Watson have been so successful in eradicating malaria, have continued to enjoy the almost complete immunity which he has secured for them. It is on the extensive agricultural areas of the district, and in the villages where the coolies from the neighbouring properties congregate, that the severity of the disease has been apparent.

Dr. Watson has carried on his crusade against it with unimpaired vigour, and has already done much to localise the trouble and to impress upon employers and labourers that the elements of success in combating the disease lie within their own reach.

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Pulmonary diseases. Diseases of the respiratory organs show a slight diminution, which may be accepted as a sign that, notwithstanding the facility with which such affections are spread in this climate, the precautionary measures which now obtain to prevent overcrowding and to ensure adequate ventilation of lodging-houses are gradually having effect.

Bowel complaints. The material increase in the number of cases of dysentery and diarrhœa is attributed, as in the case of malarial fever, to the advent of so many Indian labourers. The State Surgeon gives some interesting figures which show how the extent and virulence of these diseases vary in proportion to the number of Indian labourers brought into the country. These figures offer comparison between the case returns and mortality of two periods when such immigration was active, and the intervening period when the importation of coolies was on a smaller scale.

Year.	Cases.	Deaths.	—
1901	3,826	1,143	Railway construction work in Selangor. Large immigration.
1902	2,488	848	
1903	1,712	588	No special works. Normal immigration.
1904	1,140	328	
1905	1,550	471	
1906	2,134	871	Opening of rubber estates. Large immigration.

Venereal disease. Nine hundred and forty-two cases were treated in 1906 as compared with 660 in the preceding year. The State Surgeon reports that the advance in the figures is not an indication of increase of the disease. It arises from the fact that many slight cases which were formerly not brought to notice are now taken into hospital for treatment.

Zymotic diseases. Three cases of plague were treated, of which two proved fatal. In no instance was the source of infection discovered. Cholera occurred in seven instances at Port Swettenham, the victims being Indian coolies arriving on ships on which the disease had made its appearance. Four deaths took place in the Quarantine Station, but the strict supervision exercised by the medical authorities prevented the spread of the disease beyond the area of segregation.

About 20 cases of small-pox occurred, approximately half of these being traced to infection on board the ship on which the patient had travelled from India. As a precautionary measure all coolies who do not show good vaccination marks on arrival are re-vaccinated before departure to their estates.

Vaccination. On the subject of vaccination the State Surgeon reports as follows :—

> "The number of persons vaccinated has increased from 3,659 in 1905 to 6,726 in 1906. This may be accounted for by the appointment of a second vaccinator, who has been mainly employed in treating Tamil coolies on arrival at Port Swettenham and on the estates.
>
> "As the gangs of coolies after being vaccinated are distributed to all parts of the State, it has been impossible to examine a large number of the cases to see if they have been successful. This will account for the apparently low percentage of success, which was 65·0 as against 91·8 in 1905. If, however, only those cases subsequently examined are considered, the percentage of success is 91·8.
>
> "Saigon buffalo lymph has been used throughout the year and has been very satisfactory. If used within a fortnight of its arrival this lymph is quite the best I have any experience of in the East."

Out-patients. The various hospitals and dispensaries afforded medical aid to a yet increasing number of out-patients :—

Treated in 1904	38,774
,, 1905	41,558
,, 1906	42,536

Leper hospital. One hundred and fifty-one lepers remained at the end of 1905 and 92 were admitted during the year, being a total of 243 treated. Fifty-nine died, 27 absconded, and there were 157 in the hospital at the close of the year.

Lunatic asylum. Two hundred and sixteen patients treated, with 42 deaths, gives a case-mortality of 19·44, which though an improvement on the statistics of the previous year is still too high to be satisfactory. For the second year in succession the inmates suffered rather severely from beri-beri, 38 cases having occurred. The medical authorities are not at present in a position to give explanation of this recrudescence of the disease.

European hospital.

The accommodation at the European hospital, Kuala Lumpur, and the resources of the hospital staff have been taxed to the utmost on several occasions during the period under report. The number of patients treated advanced from 78 in 1905 to 126 in 1906. There were two deaths. There have been as many as five serious cases under treatment at the same time, and the present staff of one Matron and two Nurses is not now sufficient to efficiently cope with the work, even though compelled to abstain from those periods of periodical recreation which are admittedly necessary to ensure exact performance of their duties.

Veterinary.

The State has been practically free from rinderpest throughout the year, and small outbreaks of foot-and-mouth disease have resulted in 47 cases only. Three cases of glanders were diagnosed and destroyed, and one small local outbreak of swine fever was promptly checked.

Four horses and seven cattle were found to be suffering from typanosomiasis in his in the Klang district, but the movements of all animals to and from the infected area having been prohibited, the disease made no further advance. The cause of the occurrence is at present obscure, and the subject is being further investigated at the Institute of Medical Research.

The Veterinary Surgeon reports that the police recruited for the service of the department at the commencement of the year have been invaluable to him, having rendered consistent assistance in checking outbreaks of disease. When not employed on that work they have been engaged in inspecting stables and cattle sheds and other precautionary works, and additionally in carrying out the provisions of the Cruelty to Animals Enactment.

Two thousand four hundred and five newly imported animals were held in quarantine at Port Swettenham, and the accommodation available was thereby taxed to its utmost capacity.

XIX.—POPULATION.

In the absence of any information as to the number of arrivals and departures by land, no estimate of the population of the State can be attempted.

Births and deaths.

The number of births registered was 2,820 and the number of deaths 8,303. It is not, however, safe to conclude that these figures constitute a complete return, as there are doubtless numerous instances in which such occurrences, especially births among the native population in remoter districts, are not notified to the local authority.

XX.—METEOROLOGICAL.

Temperature.

The maximum temperature registered at the General Hospital, Kuala Lumpur, was 94·0° F. and the minimum was 68·0° F. The mean temperature for the year was 80·4° F., which is practically the same as in 1905.

Rainfall.

The rainfall was on the whole less than in the preceding year. The amount registered in Kuala Lumpur was 86·74 inches, where the heaviest fall in 24 hours was 3·60 inches on 6th October.

At the Kuala Kubu station in Ulu Selangor the rainfall for the year was 125·84 inches, being the heaviest of all districts. This station, situated at the foot of the main range of mountains, usually shows the largest annual fall, but it is unusual to find, as recorded in 1906, that the heaviest fall which took place at any station in any month was 23·31 inches in December at Klang, near the sea coast.

XXI.—MUSEUM.

The time spent by the Curator at head-quarters in 1906 was fully occupied in superintending the removal of the collections from the old Museum to the new building, and the construction, erection, and arrangement of the cases and fittings for their reception. But little remained to be done in this direction at the end of the year,

Collections.

Visits were paid by the Curator and his assistants to elevated situations on the main range of mountains, to Pulau Tioman and neighbouring islands off the coast of Pahang, to islands in the Straits of Malacca, and to Gunong Angsi in the Negri Sembilan. All these expeditions resulted in the acquisition of new and interesting specimens of natural history.

The birds collected on Gunong Tahan in Pahang in 1905, were returned by the authorities of the British museum after identification and classification. Several species of extreme rarity were thereby added to the State collection.

XXII.—SANITARY BOARDS.

Municipal affairs in the districts of the State have, as in the past, been efficiently controlled by the various Sanitary Boards. The Government is indebted to the members of those bodies for valuable assistance readily rendered throughout the year. The revenue collected in all divisions amounted to $296,063.

The increase in the population of the town of Kuala Lumpur, and the consequent need for extended and improved accommodation, has made the work of the Board at head-quarters particularly arduous. It is therefore gratifying to find that the report submitted by the Chairman shows that no effort has been spared to deal effectively with all local requirements.

Revenue and expenditure.

The Kuala Lumpur Board collected revenue to the amount of $262,304, exceeding the estimate by $32,000. The amount received is somewhat less than that taken to account in the previous year, but the decrease is satisfactorily accounted for, being due to alteration in the system of collecting market revenue. The practice of permitting monopolies for the sale of food-stuffs within the market has been abandoned in favour of rents on stalls at reasonable rates. The principal advances in revenue appear under house assessment, water rates and the licensing of vehicles.

Collections on account of electric lighting formed a new item of revenue towards the close of the year.

The total expenditure incurred by the Board on all accounts was $394,418. Of this sum, roads, streets, bridges and other public works accounted for $163,722, and $68,000 was expended in the acquisition of land for purposes referred to below.

Town improvements.

The Board supervised the construction and completion of 123 new buildings, and 30 more were in process of erection at the end of the year. A great deal more dwelling accommodation is, however, yet required before it can be said that there is adequate house room for the resident population. There still remain certain building areas in different parts of the town which the owners have preferred to leave vacant, and hold for a further rise in values rather than erect houses upon them. Suggested legislation, giving the Board the power to assess such areas at similar rates to those on which buildings stand, will probably act as a stimulus to incite such owners to improve or dispose of their properties.

Satisfactory progress is being made with the schemes for the widening and improvement of streets and the construction of back lanes referred to in paragraph 105 of the last Administration Report. A considerable amount of valuable land has been resumed, and further lots are being acquired as opportunity offers. The prosecution of these schemes necessitates a heavy outlay in the first instance, but as the acquisition of each block is completed, and when the portions necessary for the improvement of thoroughfares have been so appropriated, the remaining land, divided into lots of the most convenient size, will be again offered to the public by auction, when the amounts received should largely, if not completely, cover the original expenditure. In any event, should a deficit be ultimately apparent, it is improbable that the difference will amount to more than the reasonable cost of improvements effected to the thoroughfares.

Over-crowding.

The staff of the Board, under the active superintendence of Dr. Thornley, Health Officer, has done all that is possible to limit the occupation of tenements to such numbers as may be allowed to assemble together without risk to health.

The powers recently conferred by law have been exercised with assiduity and discretion, and Dr. Thornley is able to report that a certain amount of good work has been done. Night inspection has extended to 379 visits, principally to the 'rikisha depôts and common lodging-houses. The Health Officer is, however, doubtful whether material improvement can be effected until many more houses of moderate rental have been erected, as it is probable that the suppression of the evil in some houses causes it to be intensified in others.

XXIII.—VOLUNTEERS.

Strength.

Twenty-one new members were enrolled during the year, and the strength on the 31st December, exclusive of the staff, was four officers and 82 rank and file.

Musketry.

Volunteer Course Table B was fired with results which are reported by the General Officer Commanding Troops, Straits Settlements, to be "highly satisfactory." Of 74 members who went through the course, 28 were returned as marksmen, 26 as first-class shots and 17 as second-class shots.

Signalling.

A squad of signallers was formed during the year and became proficient at the work.

XXIV.—PUBLIC GARDENS.

At an inclusive cost of $7,595 the Public Gardens at Kuala Lumpur have been maintained in their usual condition of efficiency and various improvements have been effected. Repairs to the plant house have been completed, new fern and orchid houses have been erected, and the appearance of the lower end of the lake has been improved by planting up the bund.

XXV.—GENERAL.

Visit of the High Commissioner.

His Excellency the High Commissioner paid his annual visit of inspection to the State in July, arriving in Kuala Lumpur on the 21st of the month. He visited the new Museum, the Volunteer Camp and the Railway Central Workshops, and proceeded on subsequent days to Kuala Selangor and Klang, at which places he interviewed deputations from the European planting community and received representations from them regarding a bridge over the Klang River at Klang, a motor car service between Klang and Kuala Selangor, and extension of the telephone service to the latter station. His Excellency left the State on the 26th July.

Investiture of H.H. the Sultan.

On the 26th of September His Excellency again arrived in Selangor, travelling on this occasion from Tapah, in Perak, to Kuala Lumpur in the State motor car. On the following day he proceeded to Klang, accompanied by the Resident-General and the residents of Perak, Selangor, and the Negri Sembilan, and invested His Highness the Sultan of Selangor with the insignia of Honorary Companion of the Most Distinguished Order of Saint Michael and Saint George. The ceremony took place in the large hall of the Astana or Palace. His Highness was supported by E. W. Birch, Esq., C.M.G., British Resident of Perak, Colonel R. S. Frowd-Walker, C.M.G., Commandant of the Malay States Guides, and C. E. Spooner, Esq., C.M.G., General Manager of Railways, Federated Malay States. The warrant was read by Sir William Taylor, K.C.M G., Resident-General. The ceremony provided a picturesque and impressive scene, and took place in the presence of a representative assembly of ladies and gentlemen, together with most of the Senior Officers resident in Selangor.

Conferences.

Two conferences of Residents took place in 1906, under the presidency of the Resident-General, at his office in Kuala Lumpur. The first was held on the 8th, 9th, and 10th of February, and the second on the 3rd, 4th, 5th, 6th, and 7th of December.

Agri-Horticultural Show.

The third annual show was held in Singapore on the 16th, 17th, and 18th of August, and secured a record attendance. Exhibitors from Selangor obtained a fair share of the prizes and a large number of excellent specimens of produce from estates under European management attracted attention.

H. CONWAY BELFIELD,
British Resident.

The Residency,
Kuala Lumpur, Selangor,
18th April, 1907.

FEDERATED MALAY STATES.

NEGRI SEMBILAN ADMINISTRATION REPORT FOR THE YEAR 1906.

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(Extract.)

Revenue and Expenditure.

Revenue.

In 1906 the revenue of Negri Sembilan amounted to $2,487,090. It exceeded the revenue of 1905 by $151,555, and the estimate for 1906 by $205,911. The principal items of revenue were as follows :—

—	1905.	1906.
	$	$
Land Revenue (excluding land sales and reimbursements).	145,475	168,250
Customs	1,268,603	1,308,119
Licences	603,982	622,049
Municipal	64,413	72,711
Federal Receipts	118,265	207,133

Expenditure.

The expenditure of the State was $2,274,337 or $60,243 more than in 1905 ; it was less by $538,515 than the amount estimated. Main headings of expenditure were :—

—	1905.	1906.
	$	$
Personal Emoluments	420,366	415,946
Other Charges	256,814	269,190
Public Works	1,125,355	1,169,646
Federal Charges	345,294	344,805

Assets, Liabilities, and Balance.

The assets of the State at the end of 1906 were $1,440,878, the liabilities $129,829. The balance to the credit of Negri Sembilan was thus $1,311,049, or $212,752 more than at the end of 1905.

The balance standing in various Banks and in the Treasuries of the State at the close of business on the 31st December, 1906, was $277,105.

LEGISLATION.

The State Council assembled six times during the year.

An important alteration in the constitution of the Gaming Farm was effected, by which the Farm area is reduced to the administrative districts of Seremban, Jelebu and Kuala Pilah—the mining localities of the State—from the 1st January, 1907. The Suppression of Gaming Enactment was brought into effect in the districts of Tampin and the Coast on that date.

LAND AND AGRICULTURE.

Land revenue.

The collection under the head of Land Revenue again shows the increase which may be expected in a country in course of steady development. The total amount brought to the credit of Government was $199,148, an excess of $29,626 over the total collected in 1905. The Estimates for 1906 were exceeded by $7,777. The principal items which went to make up this total were:—

Land Rents	$95,722*
Mining Rents	30,045
Survey Fees	15,177
Land Sales	28,056

Registration.

The number of transactions in connection with registration of land under the Land Enactment and Mining Enactment was 5,396, as compared with 4,666 transactions registered in 1905. Their stamp value showed a decrease, the figures being $3,801 and $2,077 for 1905 and 1906, respectively. As the Commissioner of Lands and Surveys has pointed out, in comparing these figures, it must be remembered that all dealings in land held under grants are now executed under the Registration of Titles Enactment. Under that Enactment the number of transactions registered in 1906 was 814, with a stamp value of $7,417 ; in 1905, during which year the Enactment was brought into force, 294 dealings were registered showing a stamp value of $3,690.

Applications for land.

In the Seremban and Coast districts, which have hitherto been chiefly favoured by European and Chinese rubber planters, actual and intending, applications for some 43,000 acres were received for the cultivation of that product. There is practically no demand now from Europeans for land destined for any other form of agriculture. Applications for approximately 4,500 acres in small holdings were received from Malays and Chinese during the year.

Land alienated and resumed.

The alienation of land on permanent title was, as formerly, much hampered by the difficulties attendant on previous faulty surveys, and it has now been decided to undertake what will be practically a re-survey of all alienated land in the State. The return provided to me shows that a total number of 40 town lots were alienated during 1906, while the amount of agricultural land given out was 21,678 acres. For breach of building or other conditions of title six town lots were resumed and 881 acres of agricultural land reverted to the Government.

The District Officer, Coast, reports that another large estate, alienated to a Chinese planter many years ago at a low rate of rent for gambier cultivation, has passed into the possession of a European syndicate, with the result that 400 acres, which until recently were covered by the coarse grass known locally as "lalang," have already been planted with rubber. The District Officer also remarks that the area under Para rubber cultivation in his district has trebled in extent during the past year. The cultivation of gambier and tapioca, for which purpose large areas of land were alienated in former years throughout the Negri Sembilan, is falling more and more into desuetude—though the planting of these products is allowed in certain cases as catch-crops on land taken up for rubber cultivation. In these instances it is made a condition that rubber trees should be actually planted up before the land is used for other purposes.

Rice and Fruit Harvests.

The rice harvest is reported as being fair only. A long period of drought when the grain was ripening seriously interfered with the yield, while at Sri Menanti, in the Kuala Pilah district, where there is a large extent of "sawah" or wet rice land—and which, indeed, derives its name from the padi grown in former years—the planters failed to carry out the necessary operations at the appointed times and suffered from the result of their carelessness. The fruit harvest throughout the State was successful.

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* Includes rents for temporary occupation and miscellaneous rents.

NEGRI SEMBILAN. Coconuts.

The Inspector of Coconut Plantations estimates the area in Negri Sembilan under this form of cultivation at a little over 17,000 acres, and states that there is a slight increase over the area so cultivated in 1905. There is ample evidence to show that the efforts of the staff of the Inspector's department to improve this form of cultivation are being rewarded.

MINES.

The records of the Mines Department for the year 1906 show rather less favourable results from this industry than in the previous year, both in the output of tin and in the number of labourers employed. The Assistant Warden attributes this to the fact that the land now worked is of a lower grade, and there seems no reason to seek for any other cause. The hydraulicing propositions are reported to have proved so far less successful than was anticipated.

The quantity of block tin exported from Negri Sembilan in 1906 was 47,490 pikuls, which, compared with the export of the previous year, shows a decrease of 1,507 pikuls. The export of tin ore was 30,276 pikuls ; this also shows a falling off from the output of 1905 to the extent of 5,859 pikuls. The duty collected on the mineral was $969,159, exceeding the duty paid in 1905 by $29,542. The increase is due to the fact that during 1906 the average price of tin was $89·57 while during 1905 it was $80·84 only.

Labour.

The labour force employed on mines in Negri Sembilan is now returned as 23,527 men, less by 2,271 than that of the previous year. It is interesting to note that the decrease is entirely among labourers working by contract or on daily wages, the number of men working on the share system being practically the same as formerly. It is also noticeable that the decrease is mainly among labourers employed on open-cast mines, the numbers of those engaged in shafting or in hydraulic workings showing a very slight reduction.

Land Alienated and Resumed.

During the year 2,918 acres of land were alienated for mining purposes, while titles for 2,948 acres were resumed owing to breach of labour or other conditions. This leaves the total area of mining land now alienated at 28,476 acres, just 30 acres less than at the end of 1905. The land resumed was for the most part worthless.

Hydraulic Mining.

One new company was formed during the year, styled the Setul Hydraulicing Company, Limited. The lands of this company are situated in the Lenggeng mukim of Seremban.

In the district of Jelebu licence to prospect was applied for by the promoters of a syndicate which has since been formed under the name of "Kanaboi, Limited." This syndicate, which has already acquired certain lands in the Kongkoi and Kanaboi valleys, is now engaged in prospecting for other land which may be calculated to yield paying results if worked on hydraulic principles. Open-cast mining has not hitherto proved successful in this locality and the hydraulicing operations of the new "Kanaboi, Limited," will no doubt be watched with much interest.

The Sudu-Seremban Mines closed down during the year, their pipe-line being acquired by the "Kanaboi, Limited." On the Sipiau concession a reef of tin-bearing stone was discovered which I am informed is to be thoroughly exploited this year. For the rest, the general results of the hydraulic companies' workings are not so satisfactory as in 1905. The output of the Seremban Tin Mining Company was 1,390 pikuls as compared with 1,547 pikuls in the previous year ; that of the Sipiau Company was 1,413 pikuls—less by 667 pikuls than in 1905.

SURVEY.

The record of the Revenue Survey Department for 1906 cannot be considered satisfactory. Important changes were made in the staff, and the entire department is now undergoing re-organisation but the process is slow, there is delay in filling vacancies, and I fear that it will be some considerable time before the department will be in a position to turn out the constant supply of reliable work which is necessary to bring the revenue surveys of Negri Sembilan into an efficient state.

Former Surveys Inaccurate.

The results of former inaccurate surveys have given rise to so much confusion and the unreliability of that work has become so obvious that the opinion has now been accepted that we should no longer rely on existing plans but should undertake a re-survey of the State. This work will be put in hand as soon as possible, but to carry it through within a reasonable time it is necessary that the staff should be at its full strength.

Drafting Staff.

The drafting staff has recently been strengthened in numbers ; the Commissioners of Lands and Surveys remarks that it remains to be seen if the standard of efficiency has also been raised.

Work Performed in 1906.

During 1906 work executed by the department was as follows :

Number of lots surveyed	2,322
,, ,, acres ,, ...	40,081
,, miles traversed	161

The average cost of work under headings of surveys for title was increased. The following title plans were prepared :—

Grants	212
Extracts	559
Mining Leases	131
Mining Certificates	66
Certificate of Title	10
Miscellaneous...	2,067

Trigonometrical survey.

Sites for new minor points were selected at the tenth mile on the Jelebu road and at the sixteenth mile on the Kuala Pilah road. The fixation of Kuala Gemas, on the Johore boundary, was investigated. Various old sites were re-cleared during the year.

FORESTS.

Additions to the extent of 5,000 acres were made to the forest reserves in Negri Sembilan in 1906. They comprised a block of some 800 acres of mangrove in the Coast district and an area of 4,200 acres in Kuala Pilah, known as the Serting reserve.

The number of cases instituted for breach of forest regulations was 229, of which 194 were successful.

A considerable amount was done in cultural operations, and the Deputy Conservator of Forests reports that all the plants put out during the year are growing well—especially the penak plants—a wood which in Perak and elsewhere is known as chengal ; tembusu, merbau, and taban are other valuable woods which are now being grown in nurseries, to be subsequently planted out in forest reserves.

The export duty of timber and fuel exceeded that of the previous year by $4,550, due to the removal by the Railway Department of sleepers and squared timber into Johore for the construction of the first few miles of railway in the northern section.

PUBLIC WORKS.

The Estimates for 1906 provided a total sum of $1,302,646, under the headings "Works and Buildings" and "Roads, Streets and Bridges," for expenditure in Negri Sembilan. This, however, includes money entered in Federal votes. Of this sum $1,170,324 was spent, leaving a balance of $132,322. The amount revoted for 1906 is $50,765, and the unexpended balance is $81,556·64.

Works and buildings.

Water supply.

The Seremban water supply was completed by the end of the year, the water being distributed to many Government quarters and supplied to the town by means of dipper fountains. The water is said by the Health Officer and Bacteriologist, Kuala Lumpur, who examined it recently, to be the best he has seen in the Federated Malay States, and the supply is ample. A special pipe connects the hospital reservoir with the main pipe before the latter reaches the main service reservoir.

New Residency.

The building of the new Residency, the only other important item of works and buildings in Seremban, made fair progress during the year : its completion is, however, said to have been much delayed by wet weather.

K. Pilah Offices.

The new Government Office at Kuala Pilah was completed and occupied during the year. This is an excellent building.

Roads, streets and bridges.

In Seremban town the work of lowering and regrading Paul Street was completed. It is now a very fine main thoroughfare. In the district the earthwork of the road to join Labu with the Sepang road, in the Selangor system, was completed.

The final section in the Negri Sembilan portion of the Kuala Pila-Bentong road was completed by the contractor as regards earthwork and bridging.

NEGRI SEMBILAN.

About 13 miles of the road from Kuala Klawang to Pertang in the Jelebu district were metalled. This road eventually joins the new road to Pahang.

The earthwork and bridging of the Kuala Jelai road, which branches off from the main road Tampin to Kuala Pila, were completed and the road was metalled throughout with the exception of 2 miles where metal has not yet been laid.

The length of metalled cart-roads was increased during the year by 15 miles. Bridle-paths were constructed in Kuala Pilah and Tampin, 22 and 23 miles in length, respectively. ... ...

At the end of 1906 mileage was as follows :—

Metalled cart-roads	342 miles.
Unmetalled cart-roads	44 ,,
Bridle-paths	214 ,,

CHINESE PPOTECTORATE.

The Acting Protector of Chinese, Selangor and Negri Sembilan, informs me that the bulk of the work of this department was performed in 1906, so far as this State is concerned, by the Assistant Commissioner of Police, the Protector being able to spend 17 days only in Negri Sembilan. The District Officers have carried out their duties as Protectors under the Women and Girls' Protection Enactment.

Two hundred and sixty-four enquiries under the Women and Girls' Protection Enactment were held during the year.

Seventeen Chinese were banished from the State as dangerous and habitual criminals or undesirable characters.

TRADE AND SHIPPING.

The aggregate value of trade as shown in the returns of imports and exports to and from Negri Sembilan in 1906 amounts to $13,230,391, an increase of $448,038, or approximately 3½ per cent. on that of the previous year. The increase is attributable almost entirely to the value of articles exported which exceeds by $459,959 the value of the exports of 1905.

The value of Para rubber exported is calculated at $304,279 for 1,050 pikuls, as compared with $52,544 for 213 pikuls in the previous year.

Railway communication through Negri Sembilan between Kuala Lumpur and Malacca being now open it is not surprising to find a decrease in the number of vessels calling at the ports of the State. The actual figures show that 870 vessels entered, with tonnage of 250,927, as compared with 985 vessels and 282,592 tons in 1905. The subsidy to the Straits Steamship Company was withdrawn during March of 1906, when several of the Company's steamers ceased to call at Port Dickson on the run from Port Swettenham to Singapore.

POSTS AND TELEGRAPHS.

The number of covers posted in this State during 1906 was 292,370 or 32,942 more than in 1905. The number delivered was 732,446, more by 139,074 than in the preceding year.

In Negri Sembilan money orders valued at $222,067 were issued; this exceeds the value of those issued in 1905 by $12,621. Payments for money orders presented amounted to $54,700 or $443 more than in 1905.

A new post office was erected and occupied at Port Dickson during the year.

COURTS.

New Courts Enactment.

The Courts Enactment which came into operation at the beginning of 1906 made very important changes in the constitution of the Civil and Criminal Courts of the Federated Malay States, whereby the offices of Senior Magistrate were abolished, provision for the performance of their work being made by the creation of two new Judicial Commissioners in addition to the Judicial Commissioner already existing.

The enactment provided also for the constitution of a new Court of Appeal formed by two or more Judicial Commissioners sitting together. The right of appeal from this Court to His Britannic Majesty in Council was reserved.

Work performed.

The returns show that, excluding those tried in Native Magistrates' Courts, the total number of cases heard again shows a slight diminution.

Appeals.

There were 19 appeals against decisions of Magistrates in criminal cases of which eight were upheld: on the civil side there were 44 appeals, seven being upheld.

In the new Court of Appeal four cases were entered, only one of which has yet been heard: that case was dismissed.

Revenue.

The revenue of the Courts, though it exceeded by $6,225 the amount estimated, failed to reach the sum collected in the previous year.

EDUCATION.

Six new Malay vernacular schools were opened during 1906, and the enrolment of scholars in Negri Sembilan attending such schools rose from 2,204 in 1905 to 2,785. The average attendance was 2,364. A class for instructing young girls in the art of weaving was opened at Sri Menanti, the place of residence of His Highness the Yam Tuan Besar, in July, and a wood-carving class was inaugurated at Kuala Pilah during the year. I am informed that both these ventures have so far shown fairly good results and that they are likely to become more popular.

The general efficiency of the two English schools was well maintained. The enrolment at St. Paul's rose from 118 to 139, in spite of the fact that owing to the alteration and enlargement of the school building the masters and boys are now accommodated only in a shop-house in the town. The new building is fast approaching completion and is an imposing edifice: it has been built partly by the aid of a Government grant.

In the Convent school for girls 55 pupils were presented at the annual examination, as compared with 35 in the previous year. The Inspector who held this examination reports very favourably on the work of the year.

HEALTH.

The number of admissions to Government hospitals during 1906 shows a large increase over that of 1905, the figures being 8,567 and 6,517, respectively. The number of persons treated as in-patients was 8,948 as compared with 6,924 in the previous year. The increase is in Tamil coolies from recently opened estates. The case-mortality rose from 7.9 in 1905 to 10.6 in 1906. When deaths occurring within 48 hours from date of admission are excluded the figures for case-mortality are 1905, 5.8, 1906, 8.5.

As the State Surgeon remarks, these facts afford matter for grave reflection. The admissions responsible for the results are of labourers employed in European-owned estates who should be under careful management and supervision, and the diseases from which they suffer are easily recognisable and even preventable. The class of patients sent in consists of cases too serious for treatment on the plantations; they are for the most part very ill and in many cases too ill to admit of successful treatment.

In November last rules were published, framed under the Indian Immigration Enactment, providing for the establishment and equipment of estate hospitals, and steps are being taken to ensure that these rules are carried out; but I regret that I am not in a position to say that much has yet been done by the planters to comply with them. It is obviously much to the interest of planters that their labour force should be maintained in a healthy and effective condition, and it is greatly to be hoped that the present year will see the existing state of affairs materially altered.

The following is a table of principal diseases treated in the Negri Sembilan Government hospitals with the mortality resulting therefrom:—

Disease.	No. Treated.	Deaths.	Death-rate.
			Per cent.
Malarial Fever	2,545	94	3·6
Beri-beri	1,010	75	7·4
Diarrhœa	383	126	33
Dysentery	1,232	342	28
Pulmonary Diseases ...	379	113	30

The number of out-patients treated was 14,755 : in the previous year 12,614 such cases were treated.

Beri-beri.

The State Surgeon writes as follows :—

> "As a set-off against the great sickliness of the Tamil community, beri-beri—in former years the chief source of mortality among Chinese—has become everywhere less prevalent, affording 11 per cent. of admissions as against 17 per cent. in 1905, and causing a lower proportion of the deaths in hospitals, 7.8 per cent. of all deaths instead of 9.4 per cent."

Vaccination.

The number of persons vaccinated during the year was 3,296, the percentage of cases seen reported as successful being 83. Twenty per cent. of the patients were, however, returned as not subsequently seen. Of the cases operated upon 2,109 were done by the native school teachers who have lately been trained to vaccinate by the State Surgeon. This officer remarks that there is no reason to suppose that the operations of these teachers are less successful than those of the travelling vaccinator. As the cost of each case performed by the latter works out at roughly one dollar while the native teachers are paid the sum of 20 cents for each successful case, it is obvious that the arrangement combines economy with the further advantage of inspiring greater faith in the native mind. From every point of view this seems a good step.

Gaol Infirmary.

A total number of 317 cases were treated in the gaol infirmary during the year, three hundred and twelve of these being new admissions. This figure exceeds by 16 the number of admissions in 1905, the increase being due to an outbreak of dysentery in the gaol attributed to contamination of the water supply. The number of deaths was eight, or 2½ per cent. of all cases treated.

POPULATION.

It is imposible to give any reliable return relating to increase or decrease of population in the year under review owing to the fact that no record of arrivals in or departures from the State by railway are supplied to me. The number of passengers by train far exceeds those by local vessels.

Births and Deaths.

The number of births registered was 2,489, the number of deaths being 3,935. Any calculation with regard to these figures based on the estimate of population given to me would be misleading for the reason stated above.

METEOROLOGICAL.

A slight increase in rainfall is again recorded, the average for all stations being 86 inches in 1906 as compared with 84.46 in 1905. The greatest fall was in Port Dickson, where 118.24 inches were recorded during the year. It is noticeable that the rainfall decreases as it is recorded further from the Coast. In Seremban 95.16 inches fell, in Tampin 81.52, in Kuala Pilah 75, and in Jelebu 60.69 only.

POLICE AND CRIME.

Strength.

The strength of the Negri Sembilan detachment of police at the end of 1906 was 351 non-commissioned officers and men serving under an Assistant Commissioner of Police and six European Inspectors. The force was 17 below the strength provided on the establishment, and included 17 detectives. It was distributed as follows :—

Seremban	190
Coast district	36
Jelebu district	35
Kuala Pilah district	50
Tampin district	40

Discipline.

The number of offences against discipline was slightly in excess of that of the previous year, the strength of the force having been increased during 1906. As in 1905 the principal causes of offences were absence without leave, disobedience of orders, and neglect of duty. It is an interesting fact that whereas the number of Malay constables in proportion to Indians is approximately 2½ to 1, the number of offences recorded as committed by Malays is nearly four times as many as those committed by Indians.

Health.

The health of the force is reported to have been good. The number of admissions to hospital during the year was 120, while 436 cases were treated as out-patients. Two men died during the year.

Crime.

There was a slight decrease in the number of cases reported as compared with the record of 1905, the figures being 4,667 and 4,933 respectively. In 1906 the number of cases discovered is returned as 3,399, or 72.8 per cent. When offences against the Labour Enactments are excluded the percentage of discovered cases is 82.7.

The following table shows the more serious crimes reported and discovered in 1905 and 1906 :—

—	1905.		1906.	
	Reported.	Discovered.	Reported.	Discovered.
Murder	7	6	1	1
Culpable homicide	2	2	5	5
Gang robbery	30	18	10	2
Robbery	37	10	37	19

The very satisfactory diminution in the number of gang robberies reported is, I think, to be directly attributed to the activity displayed in recent years by the officers responsible for carrying out the provisions of the Banishment Enactment and to the introduction of the Criminal Registry Department.

Police stations and barracks were completed during the year at Kuala Parit, Parit Tinggi, Padang Lebar and Ayer Kuning.

Prisons.

Daily average.

Throughout the State the daily average number of prisoners during 1906 was 166.5, in addition to 38 convicts who, for various reasons, were maintained in the Kuala Lumpur or Taiping establishments.

Discipline.

Discipline is reported to have been maintained very efficiently ; only one serious breach occurred in which a prisoner charged in court for assaulting a sub-warder was sentenced to four months' rigorous imprisonment. Other complaints against the prisoners were chiefly for not completing their tasks of stone-breaking. The total number of cases recorded was 334. There were no escapes during the year.

Health.

An epidemic of dysentery, which broke out in May and lasted for six weeks, caused some anxiety, but the directions of the Medical Officer being rigidly given effect to, the disease was stamped out. During this period there were 105 admissions to the gaol infirmary and three deaths. As I have mentioned before, the outbreak was attributed to contamination of the water supply. Excellent water has since been laid on to the gaol.

There were 52 cases of beri-beri in various stages throughout the year, one death being due to this disease. This man died twelve hours after admission to hospital. The number of deaths from all causes during the year was eight.

New Ward.

A new association ward, to accommodate 24 prisoners, was completed and occupied in June.

The conduct of the gaol staff—European and native—is reported as satisfactory.

Sanitary Boards.

No large works were undertaken by the Sanitary Boards of the State in 1906, but the town of Seremban is undergoing steady improvement, and the various district towns give evidence of the attention paid to them by their Boards. The revenue credited to this department in 1906 was $72,711, against an estimated expenditure of $63,794, exclusive of public works.

General.

In February, 1906, His Highness the Yang di Per Tuan Besar was afforded an opportunity, of which he availed himself, of visiting Singapore for the purpose of being presented to His Royal Highness Prince Arthur of Connaught.

His Excellency the High Commissioner visited Negri Sembilan in July and travelled with the Resident to Kuala Pilah and back by motor-car, being met there by the Yang di

Per Tuan. The High Commissioner during his visit inspected the new St. Paul's School now in course of construction. His Excellency also travelled over the extension of the railway line in Johore.

Negri Sembilan is at present in a state of transition which alone would account for the absence of any striking signs of progress in her record for 1906. The slight but perceptible decline in the tin mining industry can fairly be accounted for by the natural inclination of miners to avail themselves of opportunities in fields where the metal may be more easily and cheaply won. The tin fields of this State, at present known, do not hold out such prospects of success as those of Perak or Selangor. New tracts of country are in course of development by the construction of roads, and the line of railway from Gemas to Semantan in Pahang will, if carried out, throw open a large area of land hitherto practically unknown where fresh tin fields will be sought; but whether they are found or not the hopes of the country must in the end centre in the planting industry—the ultimate destiny, indeed, of all tropical countries.

It is unfortunate that the difficulty of obtaining duly qualified surveyors has resulted in serious delays in connection with surveys of the numerous areas under application. This applies especially to Negri Sembilan, where, as I have stated, former surveys are found to be entirely unreliable, and the re-survey of the State has been decided upon. To obviate delay the Government has adopted the policy of placing an applicant for planting land in possession of the approved area prior to survey in all cases where there can be no doubt as to the boundaries of the land.

By the recent appointment of an Immigration Committee the Government has given further evidence of its desire to assist planters in the introduction of an adequate labour force. To maintain this force in a healthy and efficient condition, when it has been obtained, must surely be the principal aim of any practical estate manager.

R. C. GREY,
Acting British Resident.

20th April, 1907.

FEDERATED MALAY STATES.

PAHANG ADMINISTRATION REPORT FOR THE YEAR 1906.

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(Extract.)

The revenue of the State for the year 1906 amounted to $650,717, being the highest since the introduction of the Residential system in 1889. Revenue.

This is $137,482 more than the estimate, and $122,349 in excess of the revenue of 1905. It is over ten times more than the amount collected in 1890, which was the first complete year of protection.

There are increases in every head of revenue, with the exception of Port and Harbour Dues and Miscellaneous Receipts, which together show the trifling deficit of $220.

The principal increases over the estimates appear under the following heads :

Customs	$40,301
Land Revenue	13,429
Licences	6,721
Municipal	4,226
Fees of Court or Office	3,447
Land Sales	3,022

The expenditure of the State in 1906 amounted to $1,434,353, which is the highest figure ever recorded. It is nearly five times more than the $297,702 spent in 1890. The excesses over the expenditure of 1905 and the estimates for 1906 are $226,177 and $29,961, respectively. Expenditure.

Taking the various main heads of expenditure singly and comparing them with the estimates, there were savings amounting to $275,134 on the following items :

Federal Charges	$178,708
Personal Emoluments	42,941
Works and Buildings, Special Services	30,417
Other Charges	14,927
Miscellaneous Services	4,676
Interest	1,998
Pensions	1,467

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On the other hand, the following items show increases amounting to over $305,000:

Roads, Streets and Bridges, Special Services	$296,473
" " " " Annually Recurrent	3,799
Works and Buildings, Annually Recurrent...	2,263
Special Expenditure...	2,045
Transport	510

Referring to the savings, there is again a very satisfactory difference of $178,708 in the figures under Federal Charges, the amount estimated having been $246,047, while the amount charged is only $67,339. The saving under Personal Emoluments is chiefly due to currency changes and to vacancies in various departments. The new Astana for His Highness the Sultan, which was provided for in the estimates, has not been commenced, and that accounts for the sum of $30,000 remaining unspent under Works and Buildings, Special Services. The saving of over $14,000 under Other Charges is probably due to expenditure having been over-estimated. The amounts remaining unspent under the other three heads are comparatively small.

The principal item that goes to make up the excess expenditure is Roads, Streets and Bridges, Special Services. This is due to the following excess payments:

Bentong-Telemong Road	$166,151
Ginting Sempak-Bentong Road	164,625
Blat-Lepar Road	8,000

The amount provided for Harbour Works at Kuantan was $50,000, but less than $6,000 was actually spent.

The excesses under the four remaining items do not appear to call for special remark.

Balances. The cash and bank balances at the end of the year amounted to $264,028, distributed among the five districts of the State. The amount on the 1st January, 1906, was $171,445.

Assets and liabilities. On the 31st December the liabilities of the State amounted to $5,788,303, being an increase of $783,636 over the debit balance on the corresponding date of the previous year, which was $5,004,667.

Loans. The loan account at the end of the year amounted to $5,941,003, free of interest, as against $5,141,003 on the 31st December, 1905. The former figure is made up of $4,366,568 due to Selangor, and $1,574,435 due to Perak.

Trade. As in former years, with the exception of opium imported and gold and tin exported, the figures represent only the sea-borne trade of the State passing through the ports of Kuala Pahang and Kuala Kuantan.

The totals for 1906 are:

Imports	$1,194,921
Exports	3,770,325
Total Trade, 1906 ...	$4,965,246

against the following values for the preceding year:

Imports	$1,344,346
Exports	3,838,928
Total Trade, 1905 ...	$5,183,274

The returns for the year 1906 thus show decreases of $149,425 under imports, and $68,603 under exports, the total trade decrease as compared with 1905 being $218,028.

The principal increases in imports appear under the items poultry, oil—other sorts, silk goods—sarongs, slendangs and kains and sundries, the increase under the last item being the large one of over $200,000.

The following items of import show decreases in value: rice, opium, sugar, petroleum, silk goods, ironware, materials for gas and electric lighting, telegraphs and telephones, and tramways and railways, dynamite, earthen- and crockery-ware, and coin and bullion-silver.

Opium imported shows a decrease of $40,621 in value, but the quantity was 224 chests in 1906 against 215 in 1905, or an increase of nine chests. The decrease in value is accounted for by the fact that the average price in 1905 was $987 a chest, whereas it fell to $766 in 1906.

The principal articles of export that show increases in value are: sago (tapicca), tin, rattans, and gold; while decreases in the exports appear under dried and salted fish, tin ore, gutta graip, timber, and coin and bullion-silver.

Legislation

There were two meetings of the State Council during the year.

I regret to record the death, in August, of one of the Members of the State Council—Che' Ungku Ngah bin Ungku Tanjong, the Dato' Ungku Bendahara Sri Mahraja Sewa Raja. The deceased Chief, who was His Highness the Sultan's brother-in-law, succumbed to an attack of paralysis.

Land and agriculture.

The revenue from land amounted to $78,330 against an estimate of $64,900; compared with 1905, the collections have risen by $9,598.

In the Lipis district, the permanent land revenue under recurrent rents has increased by over $1,000, and this is attributed, not so much to new holdings, as to the progess made in demarcation, settlement, and registration, whereby the actual area held is ascertained and the rent accurately assessed.

The revenue of the Raub Land Office exceeded the receipts of 1905 by over $4,500, and the estimate by over $2,400. The collections in this district continue to increase steadily, the amount received last year having been four times more than the $8,000 odd collected in 1900. The increase for 1906 is partly due to the rent on four new rubber estates, and partly to placing a large number of holdings on the register, as accurate survey generally proves the area to be larger than was estimated in the old titles.

In the Temerloh district there are satisfactory increases both as compared with 1905 and with the estimate, the principal excesses being under rents, demarcation, and sales. In Pekan and Kuantan also there have been increases as compared with collections in former years.

Land sales for the whole State realised $9,307, or $3,358 more than in 1905 and $3,022 in excess of the estimate.

Settlement work in the Lipis district included the examination of 627 lots by the Settlement Officer, who also did a considerable amount of work on sub-divisions and re-examination where necessary. The holdings in the mukims of Pulau Tawar, Chika, Tembeling, Tanjong Besar and Budu received attention. The number entered on the register was 1,218, or 441 more than in the previous year. The number of extracts issued was 1,016. The mukims of Kechau and Telang have been practically completed, and considerable progress has been made in Gua and Penjum. The Tembeling and Pulau Tawar divisions now remain to be dealt with, and, of these, two mukims were ready for registration and seven await demarcation and settlement.

Settlement work in the Raub district was carried on chiefly in the mukims of Gali, Dong, and Sega. Eight hundred and twenty-one entries in the mukim register were completed as compared with 504 in 1905. Every extract prepared for the Dong mukim was issued and only 13 old titles remained on the rent-roll. The Malay Settlement Officers are reported as having done excellent work.

The area demarcated in the Temerloh district was about 3,500 acres. Two Settlement Officers were working during the year, most of their duties being confined to the up-river mukims. In a large number of cases it was found that the actual areas held were in excess of those allowed, while several people were found to be living on State land. In such cases fresh applications were put in, and arrears of rent charged. The system of requisitions for demarcation was started in October, and 55 were forwarded before the end of the year for 594 lots. The number of extracts received was 630, but their issue was postponed until 1907. Registration work fell off considerably in this district.

Two hundred and thirty holdings were demarcated in Kuantan, where also there is a Settlement Officer. At present there are on the rent-roll nine agricultural grants, six agreements for agricultural leases, 204 Malay certificates and 1,174 approved agricultural applications.

The padi crop of the State has, on the whole, been a good one. In the Lipis district the yield shows a large increase over the previous year, the average per acre being 230

PAHANG. gantangs for wet rice and 162 for plough land. In the Raub district the harvest was very good, excepting in the Dong and Gali mukims where the want of water was severely felt. The crop in the central district was poor, much damage having again been done by pigs, and, in some of the low-lying villages, by floods.

The import of rice in 1906 was some 12,000 pikuls less than in 1905, and it would therefore appear that last year's harvest was better than the one in 1905. The quantity of rice grown in Pahang is, however, even in the best of seasons, not sufficient for local consumption, and much has to be imported annually, the quantity brought in last year having been nearly 50,000 pikuls.

Up to a couple of years ago, there were but 245 acres of land alienated for rubber cultivation in this State. Since then, however, and specially during the year under review, considerable progress has been made in the opening up of new rubber estates in various parts of Pahang, large areas having been alienated to Europeans and others for that form of cultivation.

In the Raub district, a considerable acreage was granted to foreign Malays for rubber, and a large amount of getah rambong has also been planted. Eight large blocks, totalling nearly 10,000 acres, were alienated to Europeans during the year, and, with three exceptions, planting is being energetically carried on.

In the central district the rubber holdings are small at present, and are in the hands of Malays who have planted stumps and seeds imported from Selangor. On the plantation belonging to a Native Chief, the young Para trees are doing remarkably well, having attained a height of 7 feet in two years. On another estate, rambong is planted and is doing well. The trouble on both these estates is said to be pig and deer, which feed on the young plants, while white-ants also do some damage to the roots. The local Malays appear to prefer planting rambong to Para, as the latter has to be well looked after, while rambong takes to the soil more readily and does not require so much attention. Towards the end of the year enquiries were made by a European planter who intends taking up a large area.

In the Kuantan district an area of over 2,000 acres has been alienated to a European syndicate, in the Beserah mukim, and further applications are expected in the same locality. At Mahbar, three miles from Kuantan, Malays have started planting rubber. Several applications for large areas in this district are at present under consideration.

A notification was published in the *Government Gazette* of 1st March, 1906, withdrawing certain special terms for rubber cultivation which were first approved in 1897. These conditions of tenure, which were originally offered only to the first six applicants, were as follows: Quit-rent of 10 cents an acre for 10 years and 50 cents afterwards; at least one twentieth of the land granted had to be planted with rubber every year, no other form of cultivation having been permitted as long as the land paid a quit-rent of 10 cents an acre only. Duty was 2½ per cent. *ad valorem* for 15 years from date work was commenced, and after that the rate in force for the time being, but not more than 5 per cent.; conditions binding on lessee and his assigns, transfer or sale of the land granted being unrestricted. These terms were, as already stated, withdrawn last year, and the conditions on which agricultural (including rubber) land is now aliented in this State are: Premium, nil; annual rent, 50 cents an acre for the first six years and $2 an acre afterwards; this being easier than the rates in force in the other States of the Federation. The export duty on cultivated rubber now in force is at the rate of 2½ per cent. *ad valorem*, which is calculated on the Singapore market price as ascertained by fortnightly advices. The price stated in each advice will be in force until the next advice is received. For duty purposes, there is a deduction of $5 a pikul from the Singapore market price, this being a set-off to meet freight and other charges on exportation.

It is estimated that 75,795 acres are alienated and occupied throughout the State for agricultural purposes; town and village lots number 799. These figures show increases of 25,778 and 25, respectively, as compared with 1905. The largest increase is in the Raub district, where the area of agricultural land in occupation has more than trebled within the past twelve months, while the number of town lots there has risen by 75.

It is estimated that the area under coconuts in Pahang amounts to over 15,000 acres.

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Forests.

The revenue collected in 1906 amounted to $61,715, distributed among the different districts as follows :

Pekan	$34,335
Kuantan	16,264
Raub	7,924
Lipis	1,867
Temerloh	1,325
Total ...	$61,715

These figures show decreases of $22,935 against actual collections during the previous year, and of $17,335 as compared with the estimates. The deficit is due to a falling off in the timber and rubber trades.

The expenditure was $43,784, of which $26,461 was for salaries ; the former figure shows a saving of $22,664 on the total provision for the department. The excess of revenue over expenditure amounted to $17,931.

Five reserves, of a total area of 70,768 acres, were surveyed and gazetted during the year—two at Pekan, and one each at Lipis, Raub, and Kuantan. With the exception of 916 acres in the Lipis district containing gutta-percha, all the other reserves are timber areas. The percentage of the reserves, as compared with the estimated area of the State, is given as 0·78.

In addition to the above, the proposals for new reserves include other extensive areas, aggregating over 64,500 acres, in the various districts. These have been partly settled, but have not yet been finally gazetted.

Thirty-three miles of new boundaries were demarcated, 29 miles of existing boundaries were attended to, and 79 miles were surveyed with chain and compass. The cost of demarcation and survey was $23 and $18 a mile, respectively. The total length of boundaries is 155 miles, and the area definitely surveyed at the end of the year was 118 square miles. Five reserves were connected with surveys of the Survey Department.

The Deputy Conservator reports that no working plans are at present necessary in Pahang, as there is sufficient timber available outside the reserves. The measurements of trees in the Bilute reserve (Raub district) were repeated, with the result that the girth of chengal trees 20 feet above the ground varies from ¼ to 1½ inches, the average being 0·67 inches. The increase in girth of the trees below 6 feet is stated to be remarkable, while trees above 9 feet show practically no increase. Following a rough estimate, it would appear that it will take about 140 years before a chengal tree 1 foot in girth can attain a girth of 9 feet.

There were 64 prosecutions for breaches of forest regulations, with 59 convictions and five acquittals ; these figures show a decrease on those recorded for 1905.

With regard to natural reproduction, chengal trees (*Balanocarpus Maximus*), our most valuable timber, have seeded plentifully throughout the State. A new nursery in the Baloh reserve (Kuantan district) has been planted with 5,000 chengal seedlings. Transplantation of the 6,000 seedlings in the Bilute and Bukit Goh reserves has not yet been possible, as the plants are only a foot in height. The undergrowth interfering with the growth of gutta taban trees in the Ulu Dong reserve was removed over an area of 500 acres, and about a thousand new stumps were planted in the same reserve.

The total quantity of timber extracted from Pahang forests during the year amounted to 4,378 tons, as against 7,917 in 1905. The decline is due to the falling off in the export trade in the Coast districts where 3,265 tons less were cut. In Ulu Pahang the outturn remained about the same as in the previous year. The Deputy Conservator explains that this decrease in the volume of the timber trade was chiefly caused by the value of chengal for duty purposes having been increased from $30 to $50 a ton, and this caused most of the timber workers to suspend operations as it would not have paid them any longer to ship their timber to Singapore. The fixed value has, however, since been reduced to $30, and it is to be hoped that better results will be obtained in 1907. Another reason for the decline in the timber trade is that the forests bordering on the rivers have been almost worked out, though there are still extensive tracts of well-wooded country available inland. The only method of extraction of timber is on sledges over wooden rollers in Rompin, and by buffaloes in the other parts of the State.

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The quantity of firewood and charcoal removed from State forests was 2,735 tons and 234 tons, respectively, all having been used in the Raub and Bentong districts. Most of the timber was cut in Kuantan and Bentong. The number of poles cut was 34,364.

As in 1905, the revenue from "minor" jungle produce has exceeded that from "major" produce, the figures for royalty and export duty combined having been :—

Minor produce (rubber, canes, and bamboos)	$36,834
Major „ (timber and firewood)	23,374

Both these items show deficits as compared with the collections in the previous year—of $8,521 in the case of the former, and of $14,251 in the case of the latter. The falling off in major produce has already been referred to. That under minor produce is due to a decrease on receipts for rubber. As in former years, the districts of Lipis and Temerloh actually account for the greater portion of forest revenue, but this does not appear in the returns because the royalty and duty are credited, not to the districts where the produce was obtained, but to the port of shipment.

Mines.

The expenditure of the department was $13,926 against an estimate of $17,817. The revenue amounted to $987, being a decrease of $305 as compared with collections in 1905 ; this is due to fewer boilers being in use and to the employment of engine-drivers who already hold certificates of competency. The total receipts from all sources in connection with the mining industry amounted to $304,665, showing an increase of $39,535 as compared with the previous year. The expenditure is equal to 4·56 per cent. of this total.

The output of tin and tin ore amounted to 34,488 pikuls as compared with 34,880 during the previous year, or a decrease of 392 ; so that the total for 1905 still stands as the highest recorded in this State. But for the temporary stoppage of the Pahang Corporation and Pahang Kabang, however, the year under review would have shown a substantial increase in production, as the output from these mines was nearly 7,000 pikuls in 1905.

The quantity exported as smelted tin was 9,420 pikuls (all from Towkay Loke Yew's workings in Bentong and the Blat), while the ore (reduced to 70 per cent. of gross weight) amounted to 25,068 pikuls. The former shows an increase of 3,820 pikuls over 1905, and the latter a decrease of 4,212, the net decrease being 392.

Among the producing districts, Raub (including Bentong) comes first with 18,261 pikuls, then Kuantan 14,751, and Temerloh and Pekan, 837 and 639, respectively.

Over two-thirds of the Raub ouput came from Bentong, the other mining localities in that district being Tras, Gapis, Sempam, and Liang. Nearly the whole of the tin exported from the Kuantan district was from the Blat valley. The Pekan outturn was obtained from alluvial workings in the Lepar, where only small parties of Chinese have hitherto been at work. Most of the Temerloh ore came from the Perak French Company's mines in the Triang valley, where also Chinese and Malays are engaged in alluvial work.

The value of the tin and tin ore exported in 1906 was $3,158,969, and the duty collected amounted to $277,931 against $239,872 in 1905, an increase of $38,059. The duty averaged $24·17 per bhara of three pikuls, as against an average of $20·61 in 1905. Compared with the estimate, the actual collections show an excess of $47,931, to which all the districts contribute as follows : Raub, $29,075 ; Kuantan, $13,117 ; Temerloh, $4,175 ; and Pekan, $1,564.

No new tin fields were opened up during the year. Several applications were received for lands in the Telemong valley, but work has not yet been started on any scale worth mentioning. The Sempam and Gapis Syndicate, who have acquired a large area of land in the Sempam valley, below the Raub Australian Gold Mining Company's power station, have confined their operations to "lampan" work in Ulu Gapis. The Sempam Company have taken out leases for a large part of the concession originally held by Mr. L. J. Fraser ; this Company had been reconstructed at the end of the year, and it is hoped that they will shortly commence operations on an extensive scale.

Approximately 3,000 acres were added to the mining rent-rolls during the year. Exclusive of the remaining large concessions, the land held under mining titles at the end of the year amounted to 17,236 acres. The leases for the Selensing concession, comprising 25,655 acres, were cancelled owing to non-compliance with conditions. The Ulu Kuantan concession, the area of which has not yet been definitely determined but which is estimated to contain 400 square miles, was transferred to the Pahang

Consolidated Company. The Liang Tin Company's concession has lapsed, and they have been granted 1,500 acres to be taken up under leases. The leases for Towkay Loke Yew's concession in the Kuantan district have been prepared and will be issued during the current year.

On the subject of the tin mines in the Kuantan district, the Assistant Warden writes as follows :—

> "The Pahang Kabang ceased operations in January; the Pahang Corporation shortly afterwards. After remaining idle for some months, a new Company, known as the Pahang Consolidated, was formed and took over the combined properties. Since then, the new management have confined their operations to careful and extensive prospecting. The mines will probably not be in full swing again for another year. £100,000 is available as working capital and will be spent in improving transport facilities, erection of new machinery, the construction of a light railway, &c., all of which will take time to bring into order.
>
> "In the Blat valley, the alluvial mines, which are worked open-cast, have done well. Early in the year a great deal of trouble was caused to the Blat Tin Mining Company by secret societies, and in December all the mines suffered badly from floods. If it had not been for the latter, there would, in spite of the decreased output from the lode mines, have been an increase for the State as compared with 1905.
>
> "In July a smelter was erected at Gambang and produced 4,400 pikuls of metallic tin before the end of the year."

The total labour force employed in the various mines was 12,233, as compared with 11,117 in 1905—an increase of 1,116 men. Labour-saving machinery, equivalent to 7,072 men, is in use. Of the labour force employed in the tin mines, 1,500 work in the lode mines and 9,433 on alluvial ground. Owing to the large number of men working under individual licences on applications, there is only one man working to every four acres of alienated land—an extremely poor record. It is, however, very often the case, especially in hill "lampans," that lessees have not sufficient water, nor the means of obtaining it, to enable them to employ the prescribed labour force on their lands. The total number of men working in the alluvial tin mines being 9,433, and the outturn from them being 33,029 pikuls, the output per man works out to 3½ pikuls a year.

The number of boilers and engines registered in the books of the department was 81, against 76 at the end of 1905. The equivalent horse-power of these is 1,579. No less than 46 boilers, of 1,040 horse-power, were idle. Of the remaining 35, 18 were employed in tin mines, eight in gold mines, seven by the Public Works Department, and two on tapioca estates. Five engine-drivers were examined, of whom four passed and one failed. The cost of inspections was $1,017, but the fees collected amounted to only $679.

Nineteen prospecting licences, covering an area of 14,570 acres. were in force during the year. By the end of December all had expired, with the exception of ten, over 9,320 acres. The most important of these licences was one over part of the cancelled Penjum concession, but the results of the prospecting were not sufficiently good to justify the re-opening of the mines.

The number of licences issued under the Mineral Ores and Licensing of Goldsmiths' Enactment was 63. Of these, two were for smelting tin, 20 for purchasing and storing tin ore, and 41 for carrying on the trade of a goldsmith.

There were 14 fatal accidents in 1906, of which 13 were in tin mines and one in a gold mine. This is six more than in 1905. All the accidents in tin mines were due to falls of stone or earth in "lampans." It is noticeable that nearly all these accidents occurred in places where two or three men were working by themselves without any responsible headman.

The export of gold in 1906 amounted to 10,728 ounces, which, though 1,067 ounces more than in 1905, is still the lowest recorded for 11 years. There are, however, some indications of a recovery. At Bukit Koman, at 515 feet, which is the greatest depth yet reached by a gold mine in this State, a lode of rich stone has been struck, and steps are being now taken to sink the shaft down below this to unwater it. If it proves that the gold in this lode holds out in depth, a renewal of gold-mining activity may reasonably be expected, as it is known that this lode outcrops for over 20 miles.

Of the past year's output, 10,591 ounces was from the Raub mines, 133 from alluvial tin washings in Bentong, and four from prospecting operations at Penjum.

The following paragraphs are from the Assistant Warden's report :—

> "The only gold mines now being worked in the State are those belonging to the Raub Australian Mining Company, who have workings at Bukit Koman, Bukit Malacca and Stope.

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"Sixty-nine thousand one hundred and thirty-nine tons were crushed for 9,995 ounces; last year 63,631 tons produced 8,283 ounces; there is, therefore, an increase of 5,508 tons crushed and 1,712 ounces won.

"The labour force employed at the mines is about 900, with machinery of 485 h.-p., equivalent in all to a labour force of 4,780 men.

"A noteworthy feature of the management at Raub is the steady decrease in working cost, which was as low as 2·27 dwts. per ton for the year ending 28th February, 1906.

"Electric power is used wherever practicable; it runs the 40-head stamp mill at Bukit Koman and the Huntingdon mills at Bukit Malacca; an electrically-driven pump and hoist are in use at Bukit Koman and an electrically-driven pump will shortly be in use at Stope. The dam at the intake of the flume to the power station has been strengthened and repaired during the year, and the tunnel through which the flume passes has been converted into an open cut.

"The centre of operations is at the Bukit Koman shaft, from which development at the lower levels has been pushed on rapidly and vigorously. At the end of the year, a prospecting winze, during the sinking of which some promising-looking stone was obtained, had reached 50 feet below the 440 feet level.

"At Bukit Malacca, a mine previously worked by the Malaysian Company on tribute, most of the ore milled has been won from open works on the surface. It is cheap and easy to obtain, though the values, of course, are not as high as those of stone obtained elsewhere. Underground work in this mine has been restricted to a small shoot of ore only.

"The mine at Stope, which has only comparatively recently been restarted, has been equipped with all necessary machinery and development has gone on steadily. The most recent and encouraging discovery is in striking the eastern lode at about 250 feet east of the main lode on the 160 feet level.

"A cyanide plant for the treatment of tailings is nearing completion; two vats have been in use during the latter part of the year with satisfactory results. The treatment of tailings at Raub has long been an unsolved problem, and the management are to be congratulated on the success attending their experiments."

The alluvial gold-mining industry has increased to a great extent during the year under review; it is confined chiefly to certain villages along the trunk road, such as Budu, Sega, Tanjong Besar, Benta, and Jeransang, all in the Lipis district. It is estimated that about 400 Malays, both men and women, and a few Chinese, are engaged in the search for alluvial gold. The Malays work only during a few months of the year, and stop entirely during the fasting month and during the months spent in sowing and harvesting their padi. The royalty payable on alluvial gold won by persons working under individual mining licences has been commuted for a fixed payment at the rate of $5 a person a year. The amount so paid in 1906 was $900, against $770 in the previous year.

Judicial work in the Warden's Court continued to be light, only nine mining cases having been dealt with by that officer during the year. The number of mining cases disposed of in the Magistrate's Court was 15.

A test case, in which a man was prosecuted by the department, and convicted by the Magistrate, for storing ore without a licence, was taken to the Supreme Court on the ground that, as an advancer, the defendant was entitled to store ore without a licence. The appeal was dismissed and the conviction upheld. The field staff of the department remained the same as in 1905, viz., one assistant warden, one inspector, and four overseers.

The following table shows the quantity of tin and gold exported from Pahang since the introduction of the Residential system :—

Year.	Tin, pikuls.	Gold, ounces.
1890	1,522	930
1891	2,451	1,227
1892	2,765	3,509
1893	3,026	9,616
1894	7,435	11,805
1895	8,348	15,099
1896	6,759	21,300
1897	6,597	26,420
1898	11,730	22,200
1899	13,465	18,507
1900	15,728	17,048
1901	22,339	23,948
1902	23,114	19,554
1903	25,275	12,441
1904	27,469	18,004
1905	34,880	9,661
1906	34,488	10,728

Revenue surveys.

The field work done in 1906 included the survey of 116 town lots at a cost of $588, chiefly in the Raub and Bentong districts; 9,998 acres of mining lands at a cost of 67 cents an acre; 2,867 acres of agricultural lands at an average cost of 99 cents an acre; 171 acres of land reserves, chiefly in Kuantan; 25 miles of road reserves; and a little over 14 miles of connections.

The survey of town lands included the laying out of some 80 allotments in the new town of Karak, on the left bank of the Telemong river, in the Bentong district, and several additional lots in Raub.

Most of the mining lots surveyed was in Kuantan, and included all the land granted to Towkay Loke Yew which falls within that district. The remainder of the Sempam Mining Company's area was surveyed during the year, and the survey of certain areas granted to Mr. J. W. Van de Stadt, in the Gapis and Sempam rivers, was commenced.

The agricultural lands surveyed were chiefly rubber estates in the Raub district. Other rubber estates are in course of survey, but, as they were not completed, are not included in the return of the year's work.

The reserves referred to above included the Blat road from Sungei Besar to the Pekan boundary, and small portions of various other roads such as Batu Talam, Telemong, and Sempam.

On the subject of the cost of surveys, the Superintendent writes:—

> "In summing up the cost of the survey work proper, I have taken the cost of the time actually engaged on the work, and it turns out to be: Town lots $5·05 per lot; other surveys 75 cents per acre. The cost of town lots is high owing to some of them being ordinary 20-feet building lots, and others isolated portions of about one acre each, some of which, on account of their intricacy, take more than a day to survey."

The number of agricultural holdings demarcated was 2,326, comprising an area of 6,341 acres, at a cost of 96 cents an acre. The lineal measurement for the demarcation of these lands was 560 miles, which was done at an average cost of $10·86 per mile. These holdings have been connected to previous measurements, so that a continuity of sheets, which were started two years ago, is still progressing. The Superintendent points out that "the system of settlement before demarcation has again given great satisfaction, and it is principally due to this cause that demarcation work is so cheap in Pahang."

The office work included the preparation of 120 mining leases, 91 grants, and 13 mining certificates, all in duplicate; also 1,764 extracts and 598 tracings.

The departmental manufacture of concrete boundary marks was continued. The total made was 11,928, of which 9,601 were distributed for use in the various districts. A vote of $3,000 was provided in the estimates for this work. These marks, being permanent, are much appreciated by the owners of land throughout the State.

The cost of the department was $50,217, including salaries and other charges, against a provision of $61,505.

Trigonometrical survey.

The operations of the Federated Malay States Trigonometrical Survey Department were continued in this State during the year.

The chief surveyor reports as follows:—

> "The main strength of the department was employed in Pahang, where the beaconing of a broad chain of major triangulation, covering more than the middle third of the State, was completed, with the exception of one point, Gunong Tapis. In the course of this work, preliminary observations and hill sketches were made from several stations, several minor points were chosen, cleared, and beaconed, and a considerable mileage of stream and path topography surveyed by assistant surveyors with the object of compiling a preliminary sketch map on the scale of four miles to an inch, chiefly to assist the Public Works Department in the location of new roads."

The field work performed included the re-beaconing of three old sites on the main range and the clearing and beaconing of 22 new hills, while the clearing of three others was in progress at the end of the year. Two expeditions to erect a beacon on Gunong Tapis were unsuccessful owing to floods in the Kuantan river.

The amount debited to Pahang for the value of the field and office work done during the year was $60,024, against $5,114 in 1905.

Police and crime.

The authorised strength of the police force was increased by 14 men at the commencement of the year and now stands at a total of 322. On the 1st January the force

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was 45, and on the 31st December, 26 under strength. The composition of the force at the end of the year was as follows :—

7	Europeans.
173	Indians.
89	Malays.
19	Detectives.
8	Orderlies.
26	under strength.
Total ... 322	

Of the 26 men shown above as wanting to complete the establishment, the vacancies were for two Indians and 24 Malays. The discharges during the year numbered 43 ; of these, five were retired on pension, seven were discharged as time-expired, 17 were dismissed, two resigned, two deserted, and two died, four were invalided, and four transferred. The total number of recruits, drafts, &c., during the year, was 71.

The Acting Assistant Commissioner reports that the general conduct of the men has been very satisfactory. There is a decrease of over 30 per cent. in the total number of reports against them as compared with the previous year. The more serious offences, such as drunkenness, disobedience of orders, asleep on duty, and absence without leave, show a decrease of over 37 per cent. Nine men were convicted in the Magistrates' Courts, against 13 in 1905. The detectives have continued to give satisfaction in the discharge of their duties.

The usual musketry courses were carried out, the shooting of the men being reported as, on the whole, satisfactory. There are 53 marksmen among the Sikhs and 29 among the Malays ; these figures show an increase of two and a decrease of five, respectively, as compared with 1905.

The health of the Force has continued satisfactory. There were only two deaths during the year, the same as in 1905, both having been Sikhs, the percentage to strength being ·61. The number of men admitted to hospital was 162, being a slight decrease as compared with 1905. As in former years, the prevailing diseases were fever and intestinal complaints.

New quarters for married Malays at Benta and for married Sikhs at Raub were completed ; the station at Kuantan was extended, and a station, with married quarters, was built at Manchis, in the Temerloh district. The clothing of the Force was supplied by the tailoring department of the Guides. Three cases of extradition were dealt with, against 10 in 1905. The number of dogs registered was 1,967, against 2,255 in the previous year ; 397 dogs were destroyed.

Exclusive of arms and ammunition belonging to Government, 186 firearms, 30,756 rounds of ammunition, and 711 lbs. of gunpowder were imported, while the number of weapons registered was 1,387. A sum of $1,030 was paid as rewards for the destruction of wild animals, these having included 45 tigers, panthers, and leopards, 26 crocodiles, and 80 snakes.

There were six fires during the year which destroyed 13 houses—temporary buildings of plank and bamboo, with atap roofs—the damage is estimated at less than $2,000 ; there was no loss of life at these fires. In 1905 there were 18 fires, which caused damage to the extent of $12,000. The telephones at the different stations were kept in fair working order. Four hundred and six hawkers and pedlars, and 22 goldsmiths, were licensed during the year, and a small quantity of alluvial gold was voluntarily registered.

The revenue collected by the department amounted to $7,432, which shows increases of $968 over the estimates and $154 over the previous year's receipts. Nearly three-fourths of the revenue was obtained in the Lipis, Pekan, and Raub districts combined.

There were 1,504 cases reported to the police during the year, being 591 less than in 1905, when the number was 2,095. The number of "discoveries" was 1,234, being in the proportion of 82·04 per cent. to the total of "reports" ; the percentage of "discoveries" in 1905 was 76·23. The Acting Assistant Commissioner states that "the stationing of an Inspector at Bentong has contributed largely to the decrease in crime which has taken place in that district."

The number of cases classed under the heading "serious crime" has increased by 16, being 122 in 1906 against 106 in 1905. The offence of "theft over $50" is also classed under this heading, there having been 49 such cases as compared with 60 in the previous year. If these offences be removed from this particular return, the number of cases constituting "serious crime" is reduced to 73 against 46 in 1905—or an increase of 27, which is actually higher than it was when "theft over $50" was included. It is very satisfactory to record, however, that there was not a single murder in 1906; there were five in 1905. Forty-one cases of house-breaking, 16 of robbery, and 15 of gang robbery were reported, showing increases of 16, 13, and 15, respectively, as compared with the previous year. There was one case of culpable homicide not amounting to murder.

Ten persons were banished, nine of them Chinese and one a Kelantan Malay. Seven of the former were members of secret societies, while the other two and the Malay were habitual criminals. The Protector of Chinese, Selangor and Negri Sembilan, visited Pahang on several occasions in order to conduct enquiries concerning the existence of secret societies in this State.

The Commissioner of Police, Federated Malay States, who carried out his annual inspection of the Force during August and September, reports that he is "very satisfied with the way the work has been done," and adds: "The establishment of the Criminal Registry has been a great success and already very satisfactory results have been obtained."

Prisons.

On the 1st January there were 142 convicts in the prisons of the State, and 344 were admitted during the year. The discharges number 360; there were eight deaths; 11 escapes; and no executions. On the 31st December there were 132 prisoners remaining: 77 at Lipis, 10 at Raub, 14 at Bentong, three at Temerloh, and 28 at Pekan.

These figures are exclusive of Kuantan, from which district no returns have been received.

The number of admissions in Raub fell from 152 in 1905 to 122 in 1906. Certain alterations were made to the prison there, with the result that there have been no more cases of sickness acquired in gaol. To save the cost of transport, a larger number of prisoners was confined in Bentong.

The principal gaol is at Lipis. In the other districts, excepting Pekan where there is a small gaol, there are lock-ups attached to the police stations. A new gaol is nearing completion at Kuantan. The information summarised below refers to the central prison at Lipis.

On the 1st January the number of prisoners remaining was 80, of whom two were awaiting trial. There were 137 admissions and 118 discharges during the year. Five lunatics and three prisoners were transferred to Kuala Lumpur. There were eight escapes and four re-captures. The number remaining on the 31st December was 77; of these, 72 were convicted prisoners, one was awaiting trial, one was a lunatic, and three were on remand. The daily average for the year was 82·75.

The prisoners continue to be chiefly employed in outdoor work. Their health has been good. Sixty-five were under medical treatment at various periods of the year, and there were four deaths, only one of which was due to beri-beri.

No very serious breach of discipline occurred. The total number of cases against prisoners was 85, most of them of a trifling nature. Flogging was awarded in five cases, other punishments in 48 cases, and 32 were discharged.

The prison staff consisted of a Superintendent, a Gaoler, and 18 sub-warders. There were 21 reports against the sub-warders, none of them being of a serious nature. The usual drills and target practices were carried out. The shooting is now confined to 100 yards maximum, training at greater ranges being unnecessary in the case of warders. The old Snider weapons have been replaced by Martini-Metford carbines.

A much-needed new ward of eight cells has been added to the central prison, and minor alterations and repairs were done to the existing buildings.

The total cash revenue of the Lipis gaol was $2,230, against $1,864 in 1905. The expenditure for all the prisons of the State was $23,215.

Courts.

The number of cases tried in the criminal courts was 1,456 against 1,458 the previous year. Civil suits have increased from 672 in 1905 to 801 in 1906. There have been increases in the Raub, Pekan, and Kuantan districts, and decreases in Lipis and Temerloh.

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The Senior Magistrate's court was abolished in January, all the cases hitherto tried in that court being now heard by one of the Judicial Commissioners in the Supreme Court. Quarterly assizes were held at Lipis, Raub, Pekan, and Kuantan, and the number of cases dealt with was 51. The first Court of Appeal for the State under the new Courts Enactment was held at Raub in September.

The number of cases, both civil and criminal, tried in the Magistrates' courts of the different districts has been as follows: Raub and Bentong, 985; Kuantan, 377; Pekan, 170; Lipis, 146; and Temerloh, 102. There were 388 cases dealt with in the courts of Penghulus and Kathis throughout the State.

The judicial revenue collected in 1906 amounted to $15,098, showing increases of $4,023 as compared with the estimate and $1,037 over the receipts of 1905. All the districts, except Lipis, where there is a decrease of $1,086, show excesses as follows: Raub and Bentong, $3,752; Pekan, $636; Kuantan, $618; and Temerloh, $103.

Public works.

The total expenditure by the department amounted to $1,019,926, as against $736,886 in 1905 and $448,588 in 1904. Over three-fourths of this total was devoted to Roads, Streets, and Bridges ($783,397); the amount spent on Works and Buildings was $119,863; salaries, allowances, and other charges accounted for $59,829; the expenditure on Kuantan roads, which has since been recovered from Towkay Loke Yew, was $37,220; and a sum of $19,617 was spent on Federal account.

The revenue collected by the department amounted to $2,192, chiefly from the sale of stores, against $1,082 in the previous year.

With regard to "Roads, Streets, and Bridges" the State Engineer writes:—

> "There were at the end of the year 121 miles 75 chains of metalled cart-road; 91 miles 9½ chains of unmetalled cart-road; 28 miles 59 chains of bridle-path; and 145 miles of foot-path.
>
> "On road upkeep, 7,298 cubic yards of stone were used on the Pahang Trunk Road, and 19½ miles of road were re-metalled; 3,350 cubic yards of stone were used an the Tras-Bentong road, and 11 miles were re-metalled; 400 yards of gravel were used on the Sempam earth-road, and two miles were re-gravelled.
>
> "Provision was not enough to complete the substitution of the remaining ruinous wood bridges on the Main Trunk Road. Only the 42½ mile bridge was finished, and some work done on the Tras bridge not yet completed. On the Tras-Bentong road, 114 feet wood bridges were replaced by masonry structures, and five culverts rebuilt. The large steel bridge over the Lipis river at Benta was completed.
>
> "Seventeen miles of earthwork of the Bentong-Sungei Ujong cart-road were constructed, and nine miles metalled. Fifteen miles of earthwork of the Bentong-Ginting Sempak road were constructed, and 8 miles 40 chains metalled. Five miles of the Batu Talam road were metalled.
>
> "There was constructed on the projected Kuantan-Benta road, between Kuantan and Gedong Rasau, 3 miles, and from Gambang to Pohol river a further 8¼ miles. Metal was found and quarries are being opened.
>
> "The extent of explorations for new roads was 650 miles, and the line of the Kuantan-Benta road is found and now only requires tracing."

Health.

The general health of the State has been good throughout the year.

There were five cases of small-pox, 10 of chicken-pox, and one of scarlet fever, none of them fatal.

The number of patients treated in the Government hospitals at Lipis, Raub, Bentong, Pekan, and Kuantan was 4,226 against 2,935 in 1905.

The principal increase was at Bentong, where the total rose from 1,514 in 1905 to 2,533 in 1906; this includes a large number of Public Works Department coolies, and road coolies employed by private contractors; 692 of the former were treated as in-patients alone, with 25 deaths.

All the other districts also show increases, except Pekan, where the hospital was closed during part of the year for rebuilding.

The increased number of coolies employed by the Public Works Department led to 1,000 admissions to hospital; the deaths among these coolies from all causes numbered 49.

The total number of deaths in hospital was 439, the percentage being 10·38, while 88 patients absconded. At the end of the year there were 175 patients under treatment, against 171 on the 31st December, 1905.

The number of "out-patients" was 12,684 against 13,610 in 1905 and 10,904 in 1904; the total for the year, including 1,667 "repetitions," was 14,351, as compared with 15,778 in 1905. There has been a slight general decrease, save in the case of the dispensary at Tras.

The prevailing diseases were malaria, dysentery, beri-beri, lung complaints, venereal and diarrhœa, in the order named. The number of cases treated were 1,221, 506, 449, 216, 208, and 127, respectively. Dysentery accounted for 125 deaths, beri-beri 76, lung diseases 51, malaria 35, diarrhœa 32, and venereal 3. All these diseases, with the exception of lung complaints, show increases when compared with the figures for 1905.

The State Surgeon writes :—

> "The mortality from dysentery and diarrhœa was chiefly among Tamils. The Chinese, who rarely drink unboiled water and are generally more cleanly in their habits, seldom suffer from these diseases to any great extent.
>
> "For dysentery cases a decoction of fresh mangosteen rind, made while the fruit was in season, was employed at Bentong with some success.
>
> "Malarial fever shows an increase among all nationalities, and the employment by the State of a large number of P.W.D. coolies during the past year has swollen the returns, 483 of these coolies having been admitted with malarial fever alone.
>
> "A disquieting feature is the steady increase in the amount of venereal disease; the numbers shown, moreover, represent but a small proportion of those affected, the majority using local and generally inefficient remedies, or being treated as out-patients.
>
> "Beri-beri cases show a steady increase in the numbers admitted, though the percentage of deaths is but 16·92 as compared with 16·70 last year and 16·89 in 1904. The majority of these cases are admitted at Bentong and Kuantan hospitals. Parboiled rice, when procurable, was issued and had, I consider, a beneficial effect."

The number of vaccinations throughout the State was 3,382 against 2,510 in 1905; of these, 1,314 were successful, 304 were "not seen," 648 failed, and 1,116 are returned as "modified." As was the case in 1905, the percentage of failures was considerable, and is partly due to the length of time the lymph must be kept before it can be used. The experiment of obtaining lymph from Shanghai was tried for six months, but the results with this vaccine were inferior to those obtained with the Saigon variety.

Returns are now being received from the private hospitals in the State, and the following figures are available :—

Hospitals.	Cases admitted.	Deaths.	Percentage of Deaths.
Pahang Consolidated Company, Kuantan	358	88	24·58
Chong Heng Kongsi, Kuantan	309	70	22·65
Blat Tin Mining Company, Kuantan ...	103	37	35·92
Mr. F. E. Maynard, Bentong Road ...	364	11	3·02

The principal diseases treated at these hospitals were :—

Diseases.	Cases treated.	Deaths.	Percentage of Deaths.
Beri-beri	156	68	43·58
Dysentery and diarrhœa	226	73	32·30
Enteric fever	5	4	80·00
Phthisis	16	11	68·75
Malarial fever	166	31	18·67

It will be seen that the death-rate is exceedingly high; it would probably be higher were it not that many mining coolies are treated in Government hospitals.

Of the private hospitals referred to above, the Pahang Consolidated Company retains the services of a European medical officer, while the remainder employ native dressers in charge.

The State Surgeon makes the following remarks with regard to the private hospitals :—

> "CHONG HENG KONGSI, BLAT.—Two hundred and four patients were treated with 70 deaths, being a death-rate of over 34 per cent. The heaviest mortality occurred from dysentery, 14 cases with 10 deaths; beri-beri, 55 cases with 28 deaths; and malarial fever, 94 cases with 26 deaths. Three deaths occurred from tubercle, and one each from syphilis, bronchitis, and debility. Most of the dysentery cases had been ill an average of 20 days previous to admission to hospital, and other diseases a considerable time; efficient inspection of the cooly lines would have greatly lessened the mortality on this estate.

> "MR. F. E. MAYNARD'S HOSPITAL.—This hospital is established by the above road contractor for the coolies employed by him while constructing a road in a valley of the Telemong. Three hundred and sixty-four patients were admitted to hospital with 11 deaths, six of these being for malarial fever. Sixty-one cases were sent to Bentong hospital for treatment, chiefly dysentery and diarrhœa. The nationalities of those admitted were generally Tamils.
>
> "PAHANG CONSOLIDATED COMPANY, SUNGEI LEMBING.—These works were shut down for nearly half the year, with a consequent reduction in the number of patients treated. The chief diseases included beri-beri, 63 cases with 24 deaths; dysentery and diarrhœa, 92 cases with 45 deaths; tubercle, six cases, all fatal; malaria, 53 with one death; and two typhoid fever, of which one died.
>
> "BLAT TIN MINING COMPANY.—The chief diseases treated included beri-beri, 31 cases with 15 deaths; dysentery, 16 cases with 10 deaths; malarial fever, 16 cases with four deaths; and enteric fever, three cases, of which all died."

The number of operations performed during the year was 112, most of them being of a minor nature; there were three deaths. Three hundred and fifteen police were admitted to the various hospitals, two-thirds being Sikhs and one-third Malays. The number of prisoners treated in the gaol hospitals at Lipis and Pekan was 77 with five deaths. In Bentong, Kuantan, and Raub, sick prisoners are treated in the district hospitals, the numbers being 107 with two deaths, 22 with nine deaths, and five with no deaths, respectively. There were 10 cases of foot-and-mouth disease among buffaloes, all of which recovered, and one case of glanders in a pony, which died. Twenty-five buffaloes were attacked in the Temerloh district with a disease closely resembling rinderpest, and 22 died.

Temperature and rainfall.

The maximum in the shade was at Temerloh 100°, and the lowest at Raub, 60°; the greatest daily range was also at Temerloh, 28°, and the lowest at Lipis, 16°·5. The heaviest rainfall was registered at Pekan, where there were 168 wet days with 186·12 inches; the least was at Temerloh, 82·44 inches in 152 days. The greatest fall in any month was 64·85 in December at Kuantan, and the greatest in any one day of 24 hours was 12·24 at Pekan on the 26th December.

Education.

The number of vernacular schools in the State has increased by three, being 22 against 19 the previous year; of these, ten are in the Raub district, five in Lipis, three each in Temerloh and Pekan, and one at Kuala Kuantan. New schools were opened at Gali and Karak in the Raub district, and at Kerdau in Temerloh. An Anglo-Chinese school was built and furnished at Bentong, but had not been opened by the end of the year. The Chinese in Bentong subscribed $750 towards this school.

The average attendance in the Lipis district was 67 per cent. as compared with 52 per cent. in 1905, and thus shows an improvement. In the schools in the Raub district, the daily attendance has averaged 27. In Pekan, Langgar, and Kampong Merhum, the attendance has been good.

As regards education in Temerloh, the Acting District Officer (Mr. C. H. G. Clarke) writes:—

> "A new school was opened at Kerdau during the year, and, whilst the novelty lasted, was well attended. The Penghulu was very energetic and contributed greatly to the measure of success the school attained. Speaking generally, however, the position of the schools is worse than even last year. The average attendance at Kuala Semantan and Chenor—the two most populous places in the district—was five and three, respectively, on an enrolment of 14 and eight, respectively. This is, of course, ludicrous, as both these schools should have an enrolment of over 50 at least. The Penghulus are willing enough to do all they can to secure a good attendance, but, as they have told me frequently, they can do nothing if the parents take up an attitude of passive resistance. Much was hoped from the appointment of Koran teachers, but I regret to say that the experiment has been a complete failure. The Koran classes have been far worse attended than the ordinary ones; the Malays will not send their children if the latter do not want to go."

Posts and telegraphs.

This is a Federal department, and I have received no separate report on the working of the Pahang branch for 1906; but the Director has been good enough to furnish me with a copy of his Federal report, and from it the following particulars are extracted.

The number of articles which passed through the various post offices of the State was 336,726 against 300,432 in 1905, an increase of 36,294. Money order transactions decreased from $170,823 in 1905 to $169,764 in 1906, the falling off being due to the closing of the Pekan Money Order Office. The subsidised motor car service between Kuala Kubu, Raub, Kuala Lipis, and Bentong, has continued to work satisfactorily.

Population and immigration.

In the absence of complete records, it is only possible to estimate the population approximately; since 1901, when the total shown by the census was 84,113, there has been a steady increase, and the figure may now be fixed at over 100,000.

The returns show that there were 1,752 births and 2,256 deaths, against 1,997 and 2,337, respectively, in 1905. Among the Malays, the births number 1,654 and deaths 1,388, as compared with 1,922 and 1,287, respectively, in the previous year. The Chinese are next in numbers, and then Tamils. PAHANG.

The State Surgeon writes as follows on the subject of vital statistics :—

> "The Chinese show a diminution of 240 deaths as compared with 1905; probably due to improved general sanitation, and partly to a reduction of the labour force at Sungei Lembing; this diminution is almost entirely among males.
>
> "Tamils, under which heading are probably grouped all Southern Indian immigrants, show an excess of 58 deaths over last year, most of these being in the Kuantan district where the labour force is continually increasing.
>
> "The chief causes of deaths are similar to those given in the hospital returns and are difficult to tabulate, inasmuch as 'sakit prut,' 'sakit angin,' and 'demam' figure largely in the returns received.
>
> "In 1904 my predecessor reported an excess of births over deaths among Malays of 695 ; this had fallen to an excess of 635 in 1905, and to 266 for last year. The cause of this rapid decline is difficult to state ; possibly many births may go unregistered in the out-districts, but I am of the opinion that in an excessive infantile mortality one must look for the chief cause ; thus out of 1,388 Malay deaths reported in the State, no less than 594 occurred in children under five years of age, or a percentage of 40·79. In examining the causes of these deaths, worms and convulsions are seen to account for 102, while it is probable that the first-named is responsible for many other deaths returned under different headings. This excessive infantile mortality is largely due to the gross amount of ignorance aud superstitions existing among native parents in the feeding of their offspring.
>
> "The ages at death in ten-yearly cycles are as below recorded. The absence of any certainty as to the population of the State prevents the calculation of statistics of some interest, but the number of infantile deaths cannot but be regarded as a grave feature of the mortality returns.

"AGES AT DEATH.

Ages.	Male.	Female.	Total.
Unknown	13	2	15
Under 5 years	345	249	594
5–10 "	58	41	99
10–20 "	54	37	91
20–25 "	130	29	159
25–35 "	417	102	519
35–45 "	265	68	333
45–55 "	132	50	182
55–75 "	120	100	220
75 and above	29	15	44"

Perhaps the chief event of the year as regards Pahang was the final abolition of debt and domestic slavery. General.

It was supposed that it had been abolished by the Slavery Regulations, Enactment IV. of 1889, but apparently, though it had the desired effect as regards others, it was not held to apply to His Highness the Sultan, and he held certain persons as slave debtors, and more as "Budak dalam."

It was found that a considerable number of persons were working in the Royal Household as domestic servants, and in other capacities, who were slaves.

After much negotiation, His Highness agreed to give up his claims to these people, and the Enactment of 1889 was repealed, Enactment 13 of 1906 being passed in its stead.

The Resident-General (Sir William Taylor) visited Lipis, Raub and Bentong in August.

The Tungku Besar (eldest son of His Highness the Sultan) came up river in July, and was accompanied by his wife, the Tungku Puan. They visited Lipis, Raub and Bentong, and then went on to Kuala Lumpur, returning to Pekan by sea after a couple of months' stay in Singapore. While in Lipis, the Tungku Besar (who is also Regent of Pahang and heir to the Sultanate) received visits from the important Chiefs of the Ulu. He was much interested in the growing town and mining sub-district of Bentong, which he had visited for the first time.

Other distinguished visitors to Pahang during the past year included His Highness Prince Henry XXXII. of Reuss, who came in May ; Mr. Staniforth Smith, a Senator of the Commonwealth of Australia, whose object was the collection of information regarding the administration and the economic conditions of the Federated Malay States ; and

PAHANG.

Monsieur Hardouin, Chief of the Cabinet of His Excellency the Governor-General of Indo-China, whose visit was in connection with his mission of studying the legislation relating to immigration and colonisation in force in these States.

In the two principal districts of the State (Raub and Kuantan), there has been steady progress during the past year. The revenue from both mining and agriculture has increased, and so has the permanent population. The demand for land is great, and considerable progress may reasonably be expected in 1907.

In Lipis, there is nothing of any importance to record. All the gold mines in this district have ceased work, and, beyond the small holdings owned by natives, there is practically no planting industry worth mentioning. Its only claim to notice consists in its being at present the seat of Government, the Resident and several Heads of Departments being stationed there.

The central district (Temerloh) is but a scattered collection of Malay villages, the principal industry there being rice cultivation. The same may be said of Pekan, with the addition that His Highness the Sultan and almost all the members of the State Council reside there.

The number of buffaloes and cattle in the State shows a satisfactory increase for 1906 as compared with the previous year, but there is a falling off in some of the villages. The total for the State, however, shows a steady increase during the last seven years, as will be seen from the appended return which has been compiled from particulars supplied by the various District Officers :

District.	Buffaloes.							Cattle.						
	1900.	1901.	1902.	1903.	1904.	1905.	1906.	1900.	1901.	1902.	1903.	1904.	1905.	1906.
Lipis ...	6,000	5,708	4,668	5,634	6,540	7,134	7,418	50	36	150	117	247	366	296
Raub ...	728	1,121	1,591	1,595	2,264	2,234	2,495	163	270	...	548	308	547	776
Temerloh	4,600	5,548	5,899	6,429	6,841	6,711	7,791	...	...	...	5	24	3	8
Pekan ...	5,000	5,070	5,319	4,961	5,307	5,370	5,238	100	126	83	115	160	195	183
Kuantan..	1,248	1,126	1,206	1,476	1,711	1,387	1,119	75	126	...	169	123	216	283
Total ...	17,576	18,573	18,683	20,095	22,663	22,836	24,061	388	558	233	954	862	1,327	1,546

CECIL WRAY,
British Resident.

The Residency,
Pahang, 6th May, 1907.

TRANSVAAL COLONY (CIVIL SERVANTS DISMISSED).

RETURN to an Address of the Honourable The House of Commons,
dated 27 August 1907;—*for*,

"RETURN showing the NAMES, POSTS, and SALARIES of the CIVIL SERVANTS who have been or may be RETRENCHED or DISCHARGED from the TRANSVAAL SERVICE from the 1st day of May to the 1st day of October 1907."

Colonial Office,
February 1908.

FRANCIS J. S. HOPWOOD.

(*Mr. Wedgwood.*)

Ordered, *by* The House of Commons, *to be Printed*,
6 *February* 1908.

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39. [*Price* ½*d.*]

RETURN of OFFICERS of the TRANSVAAL CIVIL SERVICE who were RETRENCHED or DISCHARGED during the Period from the 1st of May to the 1st of October 1907.

Name.	Appointment held at Date of Retirement.	Department in which Officer served.	Salary at Date of Retirement.
			£
Anderson, G. B.	Clerk	Legislative Assembly	340
Duffin, B. W.	Principal Clerk	„ „	550
Mercer, H. D.	Librarian	„ „	320
Anderson, J. D.	Inspector of Fencing	Agriculture and Forests	750
Bewers, T.	Stock Inspector	„ „	240
Borcherds, D.	Clerk	„ „	216
Coleman, J.	Stock Inspector	„ „	240
Crocker, S.	„	„ „	240
D'Anvers, F. T.	„	„ „	240
Dunkley, J. C.	„	„ „	240
Eastwood, A. K.	Forester	„ „	300
Griffin, L. T.	Taxidermist (Museum)	„ „	400
Hodder, S.	Locust Officer	„ „	400
Horsbrugh, C. B.	Clerk	„ „	240
Lane, D.	Stock Inspector	„ „	240
Maxwell-Lyte, J. M.	Horticulturist	„ „	360
Nicholson, H.	Farm Manager	„ „	450
Patterson, J. S.	Stock Inspector	„ „	240
Peel, H. A.	Poultry Assistant	„ „	300
Philip, J. A. B.	Stock Inspector	„ „	240
Pollard, J.	Government Veterinary Surgeon	„ „	500
Versfield, E. W. F.	Clerk	„ „	380
Wilson, R. A.	Stock Inspector	„ „	240
Forrester, D.	Storeman	Public Health	240
Lester, R. S.	Storekeeper	„ „	360
Bates, R. W. M.	Clerk	Law	275
Beatty, K. J.	Assistant Resident Magistrate	„	600
Black, C. W.	Public Prosecutor	„	400
Bolton, W. N.	Resident Magistrate	„	1,000
Bowes, J. A.	Reporter	„	300
D'Oyly, John S.	Clerk	„	300
Edwards, J.	Reporter	„	200
Hughes, A. H.	Inspector of Prisons	„	1,000
Huneberg, N.	Clerk	„	200
Kerr, J. G.	Assistant Resident Magistrate	„	800
Lamb, A. E.	Reporter	„	600
Law, J. H.	„	„	380
Leonard, F. H. E.	Clerk	„	300
Lloyd, R. O.	„	„	250
Looney, P. J.	„	„	340
McCarter, H. B. A.	„	„	300
McInerney, T. M.	Resident Magistrate	„	1,000
Nisbet, H. A.	Assistant Resident Magistrate	„	600
O'Flanagan, D. G.	Clerk	„	260
Philp, T.	Reporter	„	300
Rolleston, G. H. F.	Resident Magistrate	„	1,000
Routledge, M. H.	First Clerk	„	360
Ruggles, N. C.	Assistant Resident Magistrate	„	600
Stein, I.	Clerk	„	300
Whyte, H. L. de B.	First Clerk	„	420
White, G.	Reporter	„	400
Winter, R. H.	„	„	300
Alexander, E. P.	Detective	Transvaal Town Police	18*s.* per diem.
Anderson, C. B.	„	„ „	1*l.* „
Ashby, G.	„	„ „	1*l.* „
Blacking, E.	„	„ „	500
Brand, E. C. J.	„	„ „	500
Cuffley, W.	„	„ „	400
Durant, P. W.	„	„ „	18*s.* per diem.
Gaum, T. L.	„	„ „	400
Harrison, A. R.	„	„ „	1*l.* per diem.
Humphreys, F. A. J.	„	„ „	18*s.* „
Milne, G.	„	„ „	1*l.* „
Nesbitt, J. H.	„	„ „	1*l.* „
Newson, W.	Inspector	„ „	650
Nolan, M. S.	Detective	„ „	1*l.* per diem.
O'Brien, J. E.	„	„ „	1*l.* „

Name.	Appointment held at Date of Retirement.	Department in which Officer served.	Salary at Date of Retirement.
			£
O'Rorke, L. W.	Detective	Transvaal Town Police	400
Sherar, C.	"	" "	400
Singleton, M. L.	"	" "	18*s.* per diem.
Smith, F.	"	" "	1*l.* "
Stewart, C. D.	Inspector Interpreter	" "	60*l.* per mensem.
Browne, W. J.	Gaoler	Prisons	240
Southwell, Miss J.	Acting Matron	"	250
Hughes A.	Clerk	Foreign Labour	420
Langston, N. C. B.	"	Mines	300
Thornton, A. R.	"	"	400
Holland, E. R.	Senior Clerk	Treasury	540
Nash, I.	Clerk	"	300
Parsons, E. A.	Junior Clerk	Internal Revenue	150
Wagstaff, F. M.	"	" "	200
Wilkinson, M. H.	Assistant Licence Inspector	" "	285
Barton, F. C. M.	Clerk	Audit	340
Robson, W. J.	Auditor-General	"	1,500
Ballard, E. J.	Examining Officer	Customs	465
Macpherson, W.	Clerk	"	255
Mann, A. M.	Outdoor Officer	"	200
Spence, S.	" "	"	200
Anderson, E. H.	Clerk	Posts and Telegraphs	275
Anderson, J. S.	"	" "	300
Andrews, Miss V. W. A.	Telephone Operator	" "	72
Bevan, G. F.	Clerk	" "	300
Brown, A. W.	"	" "	300
Davis, J. J.	"	" "	275
Downing, A. W.	"	" "	300
Drummond, O.	"	" "	300
Harrison, R. E.	"	" "	300
Holland, M.	Inspector of Postmen	" "	300
Irwin, J. R.	Clerk	" "	290
Johnson, J. M.	"	" "	275
McNaught, J. A.	"	" "	290
Millar, D. J.	"	" "	300
Milthorp, F. R.	"	" "	290
Murphy, G.	"	" "	360
O'Hara, W.	"	" "	300
Oxenham, H. A.	"	" "	300
Rush, W. F.	"	" "	245
Spencer, B. H. A.	"	" "	300
Tanner, H. A.	"	" "	275
Taylor, G. F.	Sorter	" "	237
White, C. L.	Clerk	" "	300
Blanchard, R.	"	Land	300
Cochrane, S. A.	"	"	255
Doyle, R. D.	Chief Inspector	"	850
Drake, H. E. D.	Superintendent, Middelburg Settlement.	"	240
Holmes, R. F.	Clerk	"	240
Johns, N.	Inspector	"	1,000
Kipping, V.	Clerk	"	300
Lawrance, H. A.	District Clerk, Potchefstroom	"	300
Lyne, G. H. S.	Clerk	"	255
Morley, F. G.	Accountant	"	700
Sellheim, C. V.	Clerk	"	270
Smith, R. J.	"	"	320
Taylor, C. R.	"	"	270
Blackwell, J. H.	Inspector	Native Affairs	500
Campion, R.	Sub-Native Commissioner	" "	600
Edwards, W. H.	Clerk	" "	400
Gunningham, W. G.	"	" "	300
Gutridge, H. S.	Inspector	" "	500
Isted, T. C.	Sub-Native Commissioner	" "	550
Pietersen, C. C.	Inspector	" "	700
Webb, B. F.	Sub-Native Commissioner	" "	600
Baker, L.	Storeman	Public Works	240
Brown, H. D.	Clerk	" "	275
Brown, W. C.	Typist	" "	240
Conolly, H. W. P.	"	" "	180
Crosthwaite, W. F.	Clerk	" "	12*s.* 6*d.* per diem.
Logan, L. D.	"	" "	15*s.* per diem.
Udal, A.	"	" "	270

Name.	Appointment held at Date of Retirement.	Department in which Officer served.	Salary at Date of Retirement.
			£
Schultz, M. - -	Writer, Quantity Surveyor's Division.	Public Works - -	180
Shaw, C. L. - - -	Clerk - - -	,, ,, - -	275
Tudor, G. - -	Foreman of Works - -	,, ,, - -	360
Weston, S. C. - -	Draughtsman - -	,, ,, - -	360
Williamson, A. S. -	Clerk - - - -	,, ,, - -	270

NOTE.—Of the above 144 officers 129 were retrenched and 15 discharged. The total number of officers employed in the public service of the Transvaal on the 1st May 1907, exclusive of subordinate officers of the Police and Prison Departments and of the teaching staff of the Education Department, was 3,513, of whom 63 per cent. were classed as established, 22 per cent. unestablished, and 15 per cent. temporary.

TRANSVAAL.

CORRESPONDENCE

RELATING TO THE

TRANSVAAL INDENTURED LABOUR LAWS TEMPORARY CONTINUANCE ACT, 1907.

Presented to both Houses of Parliament by Command of His Majesty.
April, 1908.

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1908.

[Cd 3994.] *Price* 1½*d.*

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2	The Governor ...	Telegram B.	August 24 (Rec. Aug. 24.)	States special points of the new law, which contains suspending clause and has been assented to.	3
3	To the Governor ...	—	August 28.	Requests that, pending consideration of the new law by the Secretary of State, Ministers will consider whether any of the provisions of the existing law can be so modified that the treatment of Chinese labourers may be differentiated as little as possible from the treatment of natives engaged in the same work.	4
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5	The Deputy - Governor.	—	October 14 (Rec. Nov. 2.)	Forwards Minute from Ministers, in reply to No. 3, with respect to the better administration of justice amongst imported labourers.	7
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TRANSVAAL.

CORRESPONDENCE

RELATING TO THE

TRANSVAAL INDENTURED LABOUR LAWS TEMPORARY CONTINUANCE ACT, 1907.

No. 1.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 3.45 p.m., 22nd August, 1907.)

Telegram.

22nd August. No. 1. Am anxious to learn as soon as possible what are important provisions of new law as to indentured labour, which I presume has been passed, and special points in which it differs from existing legislation.—Elgin.

No. 2.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5.7 p.m., 24th August, 1907.)

Telegram.

24th August. B. Your telegram, 22nd August, No. 1.* Act consists of four clauses. Special points are as follows:—

(1) That the Labour Importation Ordinances and Regulations are kept alive by the new law in respect of each labourer now in the country until expiry of existing contract of three years, and in addition in case of each labourer for such further period not exceeding two months as will enable repatriation in accordance with Ordinances to take place; (2) existing bonds entered into by importer to repatriate labourers at own cost at the end of contracts kept alive notwithstanding right of renewal taken away by Letters Patent so that importer must pay cost of repatriation.

I have assented to Act which contains suspending clause.—Selborne.

---

* No. 1.

2500 G 908 Wt 4/08 D & S 5 31816

No. 3.

THE SECRETARY OF STATE to THE GOVERNOR.

MY LORD, Downing Street, August 28, 1907.

I HAVE the honour to acknowledge the receipt of your telegram of 24th August, B,* informing me of the substance of the Act providing for the temporary regulation of Chinese labour to which you have assented though the Act will not be brought into operation pending the signification of His Majesty's pleasure thereon. I have now also seen a copy of the Bill in the form in which it was set down for second reading.

2. On receiving your despatch transmitting the Act and the statements and explanations of Ministers with regard to it, it will be my duty to consider very carefully what advice to tender to His Majesty with respect to the Act.

3. In the meantime, I am anxious to learn in what respects it may be possible for your Ministers to relax and modify any of the provisions of the law, with due regard to circumstances, so that, in regard to the restrictions upon their liberty as well as the methods of their detention pending trial, their trial, and punishment, these labourers may be subject to treatment differentiating them as little as possible from natives engaged in similar employment.

4. Steps were taken last year by the passing of Ordinance No. 12 of 1906 to repeal certain objectionable provisions of the Labour Importation Amendment Ordinance 1905, viz., the provisions allowing deduction of fines from wages, the fining of head boys for not reporting offences, and the imposition of a collective fine.

The Ordinance of 1905 also provided for the exercise of judicial powers by the Inspectors and for trials within the mine premises as well as for the imprisonment of labourers in lock-ups or cells in the mine premises, which were measures of a special character applied to the Chinese.

5. His Majesty's Government did not last year press for the withdrawal of the judicial powers of the Superintendent and Inspectors, which were conferred upon them largely on the assumption that this was in the interests of the Chinese labourers for the purpose of securing a more speedy and satisfactory administration of justice through Chinese-speaking magistrates. But the two other measures were regarded by His Majesty's Government as objectionable.

6. His Majesty's Government desired that Courts should be held at places outside the mines and with full publicity, and that confinement in any lock-up on the mines should be limited to a few hours.

It was subsequently agreed that, subject to publicity being secured, Courts might be on the mine premises, though not within the compounds, this being held necessary for the speedy and satisfactory administration of justice.†

7. It would, I presume, be possible, if your Ministers considered that the time had arrived for dispensing with either one or other of these special measures, to carry out the change by the administrative act of the Attorney-General without resorting to legislation. I understand that when powers were conferred on Inspectors to try certain offences committed by Chinese labourers on the mine premises, the jurisdiction of the ordinary civil magistrate was not taken away, and that at any time the Attorney-General might direct that all or certain of the offences should in future be adjudicated on by the magistrates and not by the Inspectors.

Similarly directions might be given that for the future any Chinese labourer arrested for an offence triable by the Inspector should be taken to the ordinary gaol and not imprisoned in the lock-up on the mine premises.

If this could be done, the commission of offences by Chinese labourers would be treated in all respects in the same way as the commission of offences by any other persons.

8. I request that you will invite your Ministers to consider the matter and to place me in possession of their views as to whether these or any other steps can be taken to assimilate the treatment of the Chinese labourers to that of native workers.

9. The question of the removal from the compounds of the repatriation notice‡ which your Ministers have recently proposed requires to be considered at the same

---

* No. 2.

† See the correspondence in [Cd. 3025].

‡ Printed at p. 190 of [Cd. 3025].

time. The notice was originally posted up in May, 1906, on the ground that, as you had stated, a certain number of the coolies did not understand what mining labour entailed and, further, because His Majesty's Government regarded it of importance that no ground should be afforded for the allegation that Chinese were being detained in the Transvaal against their will solely because they had not the money necessary to secure repatriation.

10. Seeing that the last arrivals came to the Transvaal in January last, there is foundation for the opinion that a sufficient period of time has elapsed within which those who desired to take advantage of the offer have had the opportunity of doing so.

On the other hand, I believe that the retention of the notice would constitute a safeguard for the administration as well as for the labourers themselves, and that its value is not to be measured merely by the numbers of those who have applied to be repatriated under it, and I would therefore urge that your Ministers should weigh carefully the expediency of not withdrawing the notice.

Any expenditure under the notice His Majesty's Government will be ready to continue to defray as they have done up to the present.

I have, &c.,
ELGIN.

No. 4.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received November 2, 1907.)

MY LORD, Governor's Office, Johannesburg, October 14, 1907.

I HAVE the honour to forward herewith two authenticated copies of Act No. 19 of 1907, "To suspend temporarily and in certain cases the operation of sub-section (2) of section fifty of the Transvaal Constitution Letters Patent 1906* and for other purposes," together with a report thereon by the Attorney-General.

I have, &c.,
HENRY HILDYARD,
Deputy-Governor.

Enclosure 1 in No. 4.

Act No. 19 of 1907.]

AN ACT to suspend temporarily and in certain cases the operation of sub-section (2) of section fifty of the Transvaal Constitution Letters Patent 1906 and for other purposes.

(Assented to 16th August, 1907.)

Whereas it is provided by sub-section (2) of section *fifty* of the Transvaal Constitution Letters Patent 1906 that the Labour Importation Ordinance 1904† and all Ordinances amending the same and all rules and regulations made under the authority of the said Ordinances shall be repealed and cease to have effect on the termination of one year from the date of the first meeting of the Legislature of the Transvaal;

And whereas the first meeting of such Legislature was held on the twenty-first day of March 1907 and the said Ordinances and rules and regulations would in terms of the said section cease to have effect on the twenty-first day of March 1908;

And whereas it is expedient to provide for the regulation superintendence and control of labourers (as in the said Labour Importation Ordinance 1904 defined) the period of whose contracts will not have expired on such last-mentioned day and for their return to their country of origin at the expiration of such period;

And whereas it is further expedient to re-affirm the provision relating to the liability of importers (as in the said Labour Importation Ordinance 1904 defined) to defray the cost of returning to their country of origin the labourers who have been introduced into this Colony in terms of such Ordinance;

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* See p. 9 of [Cd. 3250].

† See p. 12 of [Cd. 2026].

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows :—

Interpretation of terms.

1. In this Act;

"contract" "importer" and "labourer" shall have the same meanings as are respectively assigned to them in the Labour Importation Ordinance 1904;

"Governor" shall mean the officer for the time being administering the Government of this Colony acting by and with the advice of the Executive Council thereof;

"Letters Patent" shall mean the Transvaal Constitution Letters Patent 1906;

"Ordinance" shall mean and include the Labour Importation Ordinance 1904 (as amended by Ordinance No. 27 of 1905 and Ordinance No. 12 of 1906) and any regulations made thereunder.

Ordinance No. 17 of 1904 and amendments thereof and regulations thereunder to remain in force on and after twenty-first day of March 1908 for certain purposes.

2.—(1.) Notwithstanding anything contained in sub-section (2) of section *fifty* of the Letters Patent the Ordinance with the exception of sub-section (1) of section *ten* thereof shall in respect of each labourer still in this Colony on the twenty-first day of March 1908 continue to be of full force and effect on and from such date until the expiry of the original period of three years for which a contract was entered into in respect of such labourer.

(2.) For the purpose of carrying out in accordance with the Ordinance the return of labourers to their country of origin on the expiry of any such period the Ordinance (with the exception aforesaid) shall remain in force for such further period (not exceeding two months) as the Governor may determine.

Cost of returning to country of origin labourers whose contracts may not be renewed.

3. Notwithstanding the prohibition in sub-section (1) of section *fifty* of the Letters Patent contained against the renewal after the commencement of the Letters Patent of any contract the cost of returning any labourer subsequent to such commencement to his country of origin at the expiry of the three years for which a contract was entered into in respect of such labourer shall be borne by the importer and the bond entered into by the importer in accordance with section *twenty-two* of the Ordinance shall remain of full force and effect.

Title and date of taking effect.

4. This Act may be cited for all purposes as the Indentured Labour Laws Temporary Continuance Act 1907 and shall not take effect unless and until the Governor shall proclaim in the "Gazette" that it is His Majesty's pleasure not to disallow the same and thereafter it shall take effect upon such date as the Governor shall notify by proclamation in the "Gazette."

Enclosure 2 in No. 4.

REPORT.

Act No. 19 of 1907.] [Assented to 16th August, 1907.

This Act, which is entitled the Indentured Labour Laws Temporary Continuance Act 1907, received the assent of the Governor on the 16th August, but its operation is of course suspended pending the signification of His Majesty's pleasure.

Its terms and effect have already been the subject of cable communication between His Excellency and the Secretary of State. It is unnecessary therefore to do more than set forth its effect which is as follows :—

Section *fifty*, sub-section (2) of the Transvaal Constitution repeals the existing indentured labour laws and regulations which repeal would take effect on the 21st March, 1908 (twelve months after the first meeting of the Transvaal Parliament). Without legislation therefore every Chinese labourer in this Colony would be subject to no restriction as regards the class of labour he might do or as regards the length of his sojourn in this Colony: he would further be subject to no special discipline as native labourers are nor would he receive the special protection which the indentured labour laws afford to him and the pass laws afford to the native labourers.

Section *two* of the new Act keeps alive the provisions of the indentured labour laws and regulations in respect of each labourer until the end of the period of three years for which he originally contracted to serve, and, moreover, keeps such laws and regulations alive for a further period to be fixed by the Government, but not exceeding two months, so as to enable each labourer to be returned to his country of origin in accordance with the provisions of those laws and regulations.

In inserting section *three* into the Bill the Government was influenced entirely by the following circumstances. Early in May the Government received an intimation from one of the mining companies employing indentured labour that that company was advised that as the repatriation required by the Letters Patent was not in accordance with the terms of the Labour Importation Ordinance, 1904, the bond given by the importer under section *twenty-two* of that Ordinance ceased to be of effect and relieved him from the obligations undertaken by the bond to pay the cost of repatriation. Although the Government was of opinion that the contention of the mining company referred to was unsound the Government desired in order to remove all doubts and *ex abundanti cautela* to put forward for enactment clause *three* in the form in which it appears in the Act.

The Act should, in my opinion, receive His Majesty's approval.

JACOB DE VILLIERS,
Attorney-General.

Attorney-General's Office,
Pretoria,
October 5, 1907.

No. 5.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received November 2, 1907.)

MY LORD,
Governor's Office, Johannesburg, October 14, 1907.

WITH reference to your despatch of the 28th August,* I have the honour to enclose, for your information, a copy of a minute from Ministers on the subject of indentured Chinese labour.

I have, &c.,
HENRY HILDYARD,
Deputy Governor.

Enclosure in No. 5.

MINISTERS to GOVERNOR.

(Minute. No. 524.)

Prime Minister's Office, Pretoria, October 7, 1907.

Ministers have the honour to acknowledge Governor's minute, No. 53/33/1907, of the 19th September, enclosing despatch from the Secretary of State which has received Ministers' careful consideration.

2. With reference to paragraph 7 of the despatch it would be possible by administrative action without recourse to legislation to abolish trials by Foreign Labour Department Inspectors within or without the mine premises as well as the detention of imported labourers in lock-ups or cells on the mine premises pending trial, but in this connection Ministers would point out that provision was made for Inspectors' Courts and matters ancillary thereto entirely with a view to the better administration of justice amongst imported labourers.

3. The institution of Inspectors' Courts enables Chinese labourers to be tried for trivial offences without delay by a judge who is acquainted with their customs and their language and who is, therefore, enabled to deal with the offenders brought before him under circumstances which, so far as is possible, preclude any miscarriage of justice. The accused probably gets a more patient and sympathetic hearing from such an officer than he would in an ordinary Court, and the fact that he and the witnesses are able to make themselves intelligible in their own language to the Court before which the accused is charged constitutes a privilege which Ministers have reason to believe is highly prized by the imported labourers themselves. As an additional safeguard, too, all sentences imposed by Inspectors of the Foreign Labour Department are subject to review either by a judge of the Supreme Court in Chambers or by the Attorney-General.

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* No. 3.

4. The congestion which would be caused in the Magistrates' Courts of the Colony were the present system to be abolished would undoubtedly result not only in the serious disorganisation of the work of these Courts, but in imported labourers charged with minor offences being detained in ordinary gaols for considerable periods awaiting trial. Those labourers who are detained in lock-ups on mine premises are, it should be noted, at most detained for a period not exceeding forty-eight hours.

5. Ministers have the honour to submit that the question of whether or not these lock-ups should continue to exist is a subsidiary one depending entirely upon the continuance or otherwise of Inspectors' Courts, and, with regard to the latter, they have nothing to add to what has already been stated in paragraph 3 hereof. Ministers do not consider that it is wise or expedient to take the steps suggested or any other steps in order to further assimilate the treatment of Chinese labourers to that of native workers. On the subject generally of the temporary continuance of the Labour Importation Ordinances their desire is to interfere as little as may be with the system of control established thereunder on the ground that that system has attained the object with which it was devised without interfering with the liberties and rights of the labourers further than necessary having regard to the terms on which these latter have been imported into this Colony.

6. In view of the expression of opinion by the Secretary of State, Ministers are considering the advisability of the retention of the repatriation notice referred to in paragraphs 9 and 10 of the despatch.

J. C. Smuts.

No. 6.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 5.55 p.m., 27th November, 1907.)

Telegram.

(Extract.)

27th November. No. 2. Your despatch, 14th October.* His Majesty's Government have had under their consideration Act No. 19 of 1907 continuing in force until expiration of existing contracts the Labour Importation Ordinance and Regulations. They admit the necessity of exceptional legislation to meet exceptional situation and appreciate the difficulty of devising a new system free from the objections to which the present law is open. They recognize, while maintaining their objections, that the declaration of your Ministers that it is their fixed policy to make an end of the Chinese labour experiment now govern the whole position.

Yielding to the distinct opinion of your Ministers His Majesty's Government have decided not to press at present for the administrative changes which they suggested to assimilate treatment of Chinese to that of natives and they will not advise His Majesty to disallow the Act.

They, however, reserve the right to make further suggestions in administrative matters connected with the Act hereafter, if it should appear to them expedient to do so, and they confidently expect that your Ministers, having associated themselves with condemnation of whole system, will readily remove, so far and so soon as public convenience permits, all that is objectionable in practice.

Despatch follows by mail.—Elgin.

No. 7.

The SECRETARY OF STATE to the GOVERNOR.

My Lord, Downing Street, November 28, 1907.

I have the honour to acknowledge the receipt of your despatch of October 14th,* forwarding, for the signification of His Majesty's pleasure thereon, Act No. 19 of 1907, passed by the Transvaal Legislature in August, by which the Labour Importation Ordinances and Regulations will be kept in force until the expiry of the existing contracts of three years, and for such further period, not exceeding two months in the case of each labourer, as may be required for carrying out his return to his country of origin. The Act was assented to by you, but it contains a suspending clause which prevents it from coming into operation pending the signification of His Majesty's pleasure thereon.

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* No. 4.

2. His Majesty's Government admit the necessity of legislation of an exceptional character to meet an exceptional situation, and appreciate the difficulty of devising a new system, free from the objections to which the present law is open. But while they maintain those objections, they recognise that the whole position may now be held to be governed by the declaration of your Ministers that it is their fixed policy to make an end of the experiment of employing Chinese labour in the Transvaal. Your Ministers have preferred to terminate *in toto*, rather than modify in detail, the system introduced in 1904, and accordingly the number of Chinese labourers, which had reached a total of 53,856 in January, 1907, had, at the end of October, been reduced to 42,338. It is estimated that by the end of March, 1908, they will be reduced to about half this number, and by the end of that year to little more than 10,000.

3. Having in view this governing consideration, and yielding to the distinct opinion of the Transvaal Government, His Majesty's Government have decided not at present to press for the administrative changes which they have suggested for the purpose of assimilating further the treatment of Chinese labourers to that of native workers; and His Majesty will not be advised to exercise his powers of disallowance with respect to the Act.

4. His Majesty's Government would desire, however, to reserve to themselves the right of making further suggestions in administrative matters, in case at a later date they should desire your Ministers to consider any alterations (besides those which they may themselves introduce) in the special measures continued by the Act for the comparatively short period during which Chinese labourers will remain in the Transvaal.

5. They hold very strongly that the necessity for such special measures is itself a condemnation of the system, apart from its other abnormal and objectionable features. If they do not press immediately for the administrative changes suggested, it is out of deference to the distinct opinion of the Transvaal Government and in the confident expectation that that Government, having associated itself with the condemnation of the whole system, will readily and of its own motion remove all that is objectionable in practice, so far and so soon as public convenience will permit.

I have, &c.,
ELGIN.

APPENDIX.

[No. 4 Admn. 1908.]

PROCLAMATION

By His Excellency the Governor of the Transvaal.

Whereas by section four of the Indentured Labour Laws Temporary Continuance Act, 1907 (Act No. 19 of 1907), it is provided that the said Act shall not take effect unless and until the Governor shall proclaim in the "Gazette" that it is His Majesty's pleasure not to disallow the same and that thereafter it shall take effect upon such date as the Governor shall notify by Proclamation in the "Gazette":

Now therefore under and by virtue of the powers in me vested by section four of the Indentured Labour Laws Temporary Continuance Act, 1907, I do hereby declare proclaim and make known that it is His Majesty's pleasure not to disallow the said Act:

And under and by virtue of the further powers vested in me by the said section I do hereby further declare proclaim and make known that the said Act shall take effect upon the seventh day of January, 1908.

God Save the King!

Given under my hand and the Public Seal at Pretoria this thirtieth day of December One thousand nine hundred and seven.

Selborne,
Governor.

By command of His Excellency the Governor in Council.

Jacob de Villiers,
Attorney-General.

TRANSVAAL.

STATEMENT

OF

MORTALITY AMONGST THE DIFFERENT CLASSES OF COLOURED LABOURERS IN THE TRANSVAAL MINES, FROM JANUARY 1906 TO FEBRUARY 1908 INCLUSIVE.

Presented to both Houses of Parliament by Command of His Majesty.
June, 1908.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
By DARLING & SON, Ltd., 34-40, Bacon Street, E.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, Ltd., Fetter Lane, E.C., and
32, Abingdon Street, Westminster, S.W.; or
OLIVER & BOYD, Tweeddale Court, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

1908.

[Cd. 4120.] *Price 2d.*

TRANSVAAL.

STATEMENT

OF

MORTALITY AMONGST THE DIFFERENT CLASSES OF COLOURED LABOURERS IN THE TRANVAAL MINES, FROM JANUARY 1906 TO FEBRUARY 1908 INCLUSIVE.

THE GOVERNOR to the SECRETARY OF STATE.

(Received May 30, 1908.)

My Lord, Governor's Office, Johannesburg, May 11, 1908.

With reference to your predecessor's despatch of 14th March,* I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of the mortality among the different classes of coloured labourers employed in the Transvaal Mines since the 1st January, 1906.

I have, &c.,
SELBORNE,
Governor.

The Right Honourable
The Earl of Crewe, K.G.,
&c., &c., &c.,
Colonial Office, London.

Enclosure.

(Minute 284.)

Prime Minister's Office, Pretoria, May 4, 1908.

With reference to His Excellency the Governor's despatch, Transvaal No. 76/11/1908, Ministers have the honour to forward returns showing the monthly death rate per 1,000 per annum from disease, from January 1906 to February 1908, among the different classes of coloured labourers employed in the Transvaal Mines.

Louis Botha.

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* Not printed; it transmitted copy of the following question asked by Earl Winterton in the House of Commons on 12th March, and of the answer, and asked for a report.

Earl Winterton asked the Under Secretary of State for the Colonies if he would grant a Return showing the mortality per month since January, 1906, among the following classes of labourers working in the Transvaal mines: South African Kaffir Natives, Central African Natives, Portuguese Territory Natives, and Chinese.

Mr. Churchill: The information is not in the possession of the Colonial Office, but the Secretary of State will ask the Transvaal Government if they will furnish it for presentation to Parliament.

RETURN SHOWING THE DEATH RATE PER 1,000 PER ANNUM FROM DISEASE AMONGST CHINESE LABOURERS EMPLOYED ON THE MINES OF THE TRANSVAAL.

Month.	Total Number of Chinese employed.	Deaths from Disease.	Rate per 1,000 per Annum.
1906.			
January	47,117	49	12·5
February	49,955	51	12·3
March	49,877	42	10·1
April	49,789	49	11·8
May	50,944	51	12·0
June	52,328	51	11·7
July	52,201	45	10·3
August	52,079	47	10·8
September	53,400	47	10·6
October	53,134	52	11·7
November	53,004	45	10·2
December	52,889	32	7·3
1907.			
January	53,828	46	10·3
February	53,736	38	8·5
March	53,651	39	8·7
April	53,588	36	8·1
May	53,406	40	9·0
June	51,497	45	10·5
July	51,441	33	7·7
August	49,071	38	9·3
September	46,260	30	7·8
October	42,338	33	9·4
November	37,728	35	11·1
December	35,676	37	12·4
1908.			
January	31,480	27	10·3
February	28,406	19	8·0

TERRITORIAL ANALYSIS OF MORTALITY FROM DISEASE AMONG NATIVES EMPLOYED ON ALL MINES AND WORKS IN PROCLAIMED LABOUR DISTRICTS EXCLUSIVE OF NATIVES EMPLOYED BY CONTRACTORS.

JANUARY, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	16	3,073	4·6	62·5
British Bechuanaland	2	840	·6	28·6
Cape Colony	13	7,407	3·7	21·1
Natal and Zululand	3	3,183	·9	11·3
Orange River Colony	—	269	—	—
East Coast	209	58,733	60·2	42·7
Swaziland	2	1,058	·6	22·7
Transvaal	26	8,976	7·5	34·9
Others	—	51	—	—
South of Lat. 22°	271	83,590	78·1	38·9
British Central Africa	32	2,805	9·2	136·9
Damaraland	4	456	1·2	105·3
Mozambique	15	2,112	4·3	85·2
Quilimane	6	780	1·7	92·3
Rhodesia	19	3,929	5·5	58·0
North of Lat. 22°	76	10,082	21·9	90·5
South of Lat. 22°	271	83,590	78·1	38·9
Total	347	93,672	100·0	44·5

February, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	13	3,334	5·0	46·8
British Bechuanaland	3	956	1·2	37·7
Cape Colony	11	7,533	4·3	17·5
Natal and Zululand	1	3,198	·4	3·8
Orange River Colony	—	318	—	—
East Coast ...	156	58,331	60·5	32·1
Swaziland ...	2	1,097	·8	21·9
Transvaal ...	15	9,352	5·8	19·2
Others	—	61	—	—
South of Lat. 22°	201	84,180	77·9	28·7
British Central Africa	32	2,607	12·4	147·3
Damaraland	4	482	1·5	99·6
Mozambique	8	2,141	3·1	44·8
Quilimane ...	2	746	·8	32·2
Rhodesia ...	11	3,624	4·3	36·4
North of Lat. 22°	57	9,600	22·1	71·3
South of Lat. 22°	201	84,180	77·9	28·7
Total	258	93,780	100·0	33·0

March, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	12	3,472	4·9	41·5
British Bechuanaland	2	1,115	·8	21·5
Cape Colony	10	8,120	4·1	14·8
Natal and Zululand	—	3,190	—	—
Orange River Colony	1	328	·4	36·6
East Coast ...	146	57,144	59·8	30·7
Swaziland ...	—	1,069	—	—
Transvaal ...	9	10,246	3·7	10·5
Others	1	123	·4	97·6
South of Lat. 22°	181	84,807	74·2	25·6
British Central Africa	34	2,573	13·9	158·6
Damaraland	1	505	·4	23·8
Mozambique	12	2,263	4·9	63·6
Quilimane ...	3	776	1·2	46·4
Rhodesia ...	13	3,415	5·3	45·7
North of Lat. 22°	63	9,532	25·8	79·3
South of Lat. 22°	181	84,807	74·2	25·6
Total	244	94,339	100·0	31·0

April, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	6	3,744	2·6	19·2
British Bechuanaland	—	1,205	—	—
Cape Colony	10	8,872	4·4	13·5
Natal and Zululand	3	3,351	1·3	10·7
Orange River Colony	—	399	—	—
East Coast	144	56,012	62·9	30·9
Swaziland	—	990	—	—
Transvaal	16	11,108	7·0	17·3
Others	1	158	·4	75·9
South of Lat. 22°	180	85,839	78·6	25·1
British Central Africa	24	2,466	10·5	116·8
Damaraland	1	498	·4	24·1
Mozambique	14	2,247	5·1	74·8
Quilimane	1	864	·4	13·9
Rhodesia	9	3,212	3·9	33·6
North of Lat. 22°	49	9,287	21·4	63·3
South of Lat. 22°	180	85,839	78·6	25·1
Total	229	95,126	100·0	28·9

May, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	18	3,818	7·4	56·6
British Bechuanaland	1	1,212	·4	9·9
Cape Colony	10	9,738	4·1	12·3
Natal and Zululand	5	3,488	2.1	17·2
Orange River Colony	—	411	—	—
East Coast	135	55,348	55·8	29·3
Swaziland	1	892	·4	13·5
Transvaal	20	11,293	8·3	21·3
Others	1	207	·4	58·0
South of Lat. 22°	191	86,407	78·9	26·5
British Central Africa	28	2,295	11·6	146·4
Damaraland	1	493	·4	24·3
Mozambique	11	2,091	4·5	63·1
Quilimane	2	844	·8	28·4
Rhodesia	9	2,977	3·7	36·3
North of Lat. 22°	51	8,700	21·1	70·3
South of Lat. 22°	191	86,407	78·9	26·5
Total	242	95,107	100·0	30·5

June, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	9	3,407	3·7	31·7
British Bechuanaland	3	1,162	1·2	32·0
Cape Colony	15	10,495	6·2	17·2
East Coast	147	54,710	60·7	32·2
Natal and Zululand	9	3,520	3·7	30·7
Orange River Colony	1	421	·4	28·5
Swaziland	1	825	·4	14·5
Transvaal	25	10,897	10·3	27·5
Others	2	201	·8	119·4
South of Lat. 22°	212	85,638	87·6	29·7
British Central Africa	19	2,180	7·9	104·6
Damaraland	3	497	1·2	72·4
Mozambique	4	1,998	1·7	24·0
Quilimane	—	814	—	—
Rhodesia	4	2,701	1·7	17·8
North of Lat. 22°	30	8,190	12·4	44·0
South of Lat. 22°	212	85,638	87·6	29·7
Total	242	93,828	100·0	31·0

July, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	5	3,070	2·2	19·5
British Bechuanaland	3	1,184	1·3	30·4
Cape Colony	6	10,878	2·6	6·6
East Coast, South of Lat. 22°	141	54,355	61·6	31·1
Natal and Zululand	3	3,477	1·3	10·4
Orange River Colony	2	406	·9	59·1
Swaziland	—	749	—	—
Transvaal	24	10,176	10·5	28·3
Others	—	7	—	—
South of Lat. 22°	184	84,302	80·4	26·2
Beira and Chinde	—	65	—	—
British Central Africa Protectorate	11	1,801	4·8	73·3
German South West Africa	4	503	1·7	95·4
Mozambique	6	1,967	2·6	36·6
North Eastern Rhodesia and Fort Jameson ...	8	747	3·5	128·5
Nyassa	4	221	1·7	217·2
Southern Rhodesia	10	1,924	4·4	62·4
Zambesia, Quilimane, and Tete...	2	815	·9	29·4
North of Lat. 22°	45	8,043	19·6	67·1
South of Lat. 22°	184	84,302	80·4	26·2
Total	229	92,345	100·0	29·8

AUGUST, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	6	3,122	2·7	23·1
British Bechuanaland	1	1,205	·5	10·0
Cape Colony	9	11,326	4·1	9·5
East Coast, South of Lat. 22°	154	54,556	69·7	33·9
Natal and Zululand	2	3,437	·9	7·0
Orange River Colony	—	432	—	—
Swaziland	1	721	·4	16·6
Transvaal	12	9,484	5·4	15·2
Others	—	11	—	—
South of Lat. 22°	185	84,294	83·7	26·3
Beira and Chinde	—	63	—	—
British Central Africa Protectorate	13	1,691	5·9	92·3
German South West Africa	5	502	2·3	119·5
Mozambique	2	1,904	·9	12·6
North-Eastern Rhodesia and Fort Jameson	6	734	2·7	98·1
Nyassa	3	221	1·3	162·9
Southern Rhodesia	6	1,628	2·7	44·2
Zambesia, Quilimane, and Tete	1	759	·5	15·8
North of Lat. 22°	36	7,502	16·3	57·6
South of Lat. 22°	185	84,294	83·7	26·3
Total	221	91,796	100·0	28·9

SEPTEMBER, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	9	3,257	4·0	33·2
British Bechuanaland	3	1,165	1·3	30·9
Cape Colony	9	12,431	4·0	8·7
East Coast, South of Lat. 22°	156	55,053	70·0	34 0
Natal and Zululand	4	3,592	1·8	13·4
Orange River Colony	—	402	—	—
Swaziland	1	677	·4	17.7
Transvaal	13	8,809	5·8	17·7
Others	—	22	—	—
South of Lat. 22°	195	85,408	87·4	27·4
Beira and Chinde	1	52	·4	230·8
British Central Africa Protectorate	4	1,603	1·8	29·9
Germa South-West Africa	5	525	2·2	114·3
Mozambique	1	1,843	·4	6·5
North-Eastern Rhodesia and Fort Jameson	5	719	2·2	83·4
Nyassa	—	211	—	—
Southern Rhodesia	11	1,311	4·9	100·7
Zambesia, Quilimane, and Tete	1	770	·4	15·6
North of Lat. 22°	28	7,034	12·6	47·8
South of Lat. 22°	195	85,408	87·4	27·4
Total	223	92,442	100·0	28·9

OCTOBER, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	6	3,285	2·3	21·9
British Bechuanaland	3	1,014	1·1	35·5
Cape Colony	19	13,555	7·2	16·8
East Coast, South of Lat. 22°	176	55,647	66·4	38·0
Natal and Zululand	5	3,915	1·9	15·3
Orange River Colony	1	424	·4	28·3
Swaziland	—	618	—	—
Transvaal	28	8,174	10·6	41·1
Others	—	4	—	—
South of Lat. 22°	238	86,636	89·8	33·0
Beira and Chinde	—	69	—	—
British Central Africa Protectorate	11	1,527	4·2	86·4
German South West Africa	4	554	1·5	86·6
Mozambique	3	2,037	1·1	17·7
North Eastern Rhodesia and Fort Jameson ...	2	677	·8	35·5
Nyassa	—	215	—	—
Southern Rhodesia	5	1,049	1·9	57·2
Zambesia, Quilimane, and Tete...	2	908	·8	26·4
North of Lat. 22°	27	7,036	10·2	46·0
South of Lat. 22°	238	86,636	89·8	33·0
Total	265	93,672	100·0	33·9

NOVEMBER, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	12	3,437	4·9	41·9
British Bechuanaland	1	867	·4	13·8
Cape Colony	18	14,258	7·4	15·1
East Coast, South of Lat. 22°	146	56,561	59·8	31·0
Natal and Zululand	7	4,400	2·9	19·0
Orange River Colony	1	439	·4	27·3
Swaziland	1	591	·4	20·3
Transvaal	11	8,119	4·5	16·3
Others	—	14	—	—
South of Lat. 22°	197	88,686	80·7	26·7
Beira and Chinde...	—	85	—	—
British Central Africa Protectorate	8	1,253	3·3	76·6
German South-West Africa	5	556	2·0	107·9
Mozambique	23	2,319	9·4	119·0
North Eastern Rhodesia, and Fort Jameson ...	1	659	·4	18·2
Nyassa	—	271	—	—
Southern Rhodesia	4	871	1·6	55·1
Zambesia, Quilimane, and Tete...	6	1,127	2·5	63·9
North of Lat. 22°	47	7,141	19·3	79·0
South of Lat. 22°	197	88,686	80·7	26·7
Total	244	95,827	100·0	30·6

DECEMBER, 1906.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	5	3,560	2·1	16·9
British Bechuanaland	4	794	1·6	60·5
Cape Colony	16	14,916	6·6	12·9
East Coast, South of Lat. 22°	166	57,592	68·3	34·6
Natal and Zululand	8	4,963	3·3	19·3
Orange River Colony	1	442	·4	27·1
Swaziland	—	665	—	—
Transvaal	12	3,288	4·9	17·4
Others	—	14	—	—
South of Lat. 22°	212	91,234	87·2	27·9
Beira and Chinde	—	97	—	—
British Central Africa Protectorate	2	961	·8	25·0
German South-West Africa	4	500	1·6	96·0
Mozambique	13	2,554	5·3	61·1
North-Eastern Rhodesia, and Fort Jameson	1	627	·4	19·1
Nyassa	1	349	·4	34·4
Southern Rhodesia	—	866	—	—
Zambesia, Quilimane, and Tete	10	1,366	4·1	87·8
North of Lat. 22°	31	7,320	12·8	50·8
South of Lat. 22°	212	91,234	87·2	27·9
Total	243	98,554	100·0	29·6

JANUARY, 1907.

Territory.	Deaths from Diseases.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	17	3,723	6·4	54·8
British Bechuanaland	—	772	—	—
Cape Colony	25	15,942	9·4	18·8
East Coast, South of Lat. 22°	153	58,413	57·3	31·4
Natal and Zululand	8	5,593	3·0	17·2
Orange River Colony	1	489	·4	24·5
Swaziland	—	756	—	—
Transvaal	18	8,721	6·7	24·8
Others	—	20	—	—
South of Lat. 22°	222	94,429	83·1	28·2
Beira and Chinde	1	105	·4	114·3
British Central Africa Protectorate	1	713	·4	16·8
German South-West Africa	2	456	·7	52·6
Mozambique	19	2,975	7·1	76·6
North-Eastern Rhodesia and Fort Jameson	—	494	—	—
Nyassa	2	377	·7	63·6
Southern Rhodesia	2	881	·7	27·2
Zambesia, Quilimane, and Tete	18	1,926	6·7	112·1
North of Lat. 22°	45	7,927	16·9	68·1
South of Lat. 22°	222	94,429	83·1	28·2
Total	267	102,356	100·0	31·3

FEBRUARY, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	6	4,301	2.3	16·7
British Bechuanaland	—	944	—	—
Cape Colony	20	17,730	7·8	13·5
East Coast, South of Lat. 22°	150	59,266	58·4	30·4
Natal and Zululand	4	6,313	1·6	7·6
Orange River Colony	—	557	—	—
Swaziland	1	822	·4	14·6
Transvaal	15	10,740	5·8	16·8
Others	—	25	—	—
South of Lat. 22°	196	100,698	76·3	23·4
Beira and Chinde	1	102	·4	117·6
British Central Africa Protectorate	5	559	1·9	107·3
German South-West Africa	3	466	1·2	77·3
Mozambique	21	3,491	8·2	72·2
North-Eastern Rhodesia and Fort Jameson ..	1	425	·4	28·2
Nyassa	3	533	1·2	67·5
Southern Rhodesia	2	903	·8	26·6
Zambesia, Quilimane, and Tete	25	2,148	9·7	139·7
North of Lat. 22°	61	8,627	23·7	84·8
South of Lat. 22°	196	100,698	76·3	23·4
Total	257	109,325	100·0	28·2

MARCH, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	14	5,282	4·9	31·8
British Bechuanaland	3	1,163	1·1	31·0
Cape Colony	18	19,718	6·4	11·0
East Coast, South of Lat. 22°	156	59,359	55·1	31·5
Natal and Zululand	4	6,963	1·4	6·9
Orange River Colony	1	585	·4	20·5
Swaziland	—	913	—	—
Transvaal	15	13,406	5·3	13·4
Others	—	28	—	—
South of Lat. 22°	211	107,417	74·6	23·6
Beira and Chinde...	—	99	—	—
British Central Africa Protectorate	3	653	1·1	55·1
German South-West Africa	2	432	·7	55·6
Mozambique	28	3,912	9·9	85·9
North-Eastern Rhodesia and Fort Jameson ...	2	321	·7	74·8
Nyassa	12	723	4·2	190·2
Southern Rhodesia	1	872	·4	13·8
Zambesia, Quilimane, and Tete	24	2,121	8·5	135·8
North of Lat. 22°	72	9,133	25·4	94·6
South of Lat. 22°	211	107,417	74·6	23·6
Total	283	116,550	100·0	29·1

APRIL, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1.000 per annum.
Basutoland	13	5,949	4·2	26·2
British Bechuanaland	7	1,258	2·3	66·8
Cape Colony	29	20,257	9·3	17·2
East Coast, South of Lat. 22°	166	59,660	53·4	33·4
Natal and Zululand	7	7,268	2·3	11·6
Orange River Colony	—	575	—	—
Swaziland	2	981	·6	24·5
Transvaal	27	15,021	8·7	21·6
Others	1	30	·3	400·0
South of Lat. 22°	252	110,999	81·0	27·2
Beira and Chinde	—	102	—	—
British Central Africa Protectorate	3	789	1·0	45·6
German South-West Africa	1	424	·3	28·3
Mozambique	22	4,013	7·1	65·8
North-Eastern Rhodesia and Fort Jameson	—	271	—	—
Nyassa	13	736	4·2	212·0
Southern Rhodesia	1	879	·3	13·7
Zambesia, Quilimane, and Tete	19	2,103	6·1	108·4
North of Lat. 22°	59	9,317	19·0	76·0
South of Lat. 22°	252	110,999	81·0	27·2
Total	311	120,316	100·0	31·0

MAY, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	17	6,121	4·9	33·3
British Bechuanaland	7	1,273	2·0	66·0
Cape Colony	37	19,219	10·6	23·1
East Coast, South of Lat. 22°	171	60,851	48·9	33·7
Natal and Zululand	6	7,226	1·7	10·0
Orange River Colony	1	545	·3	22·0
Swaziland	1	982	·3	12·2
Transvaal	42	15,434	12·0	32·7
Others	—	26	—	—
South of Lat. 22°	282	111,677	80·6	30·3
Beira and Chinde	—	110	—	—
British Central Africa Protectorate	8	785	2·3	122·3
German South-West Africa	3	449	·9	80·2
Mozambique	28	3,938	8·0	85·3
North-Eastern Rhodesia, and Fort Jameson	—	239	—	—
Nyassa	4	699	1·1	68·7
Southern Rhodesia	3	932	·9	38·6
Zambesia, Quilimane, and Tete	22	2,075	6·3	127·2
North of Lat. 22°	68	9,227	19·4	88·4
South of Lat. 22°	282	111,677	80·6	30·3
Total	350	120,904	100·0	34·7

JUNE, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	19	5,982	5·8	38·1
British Bechuanaland	9	1,227	2·7	88·0
Cape Colony	19	17,480	5·8	13·0
East Coast, South of Lat. 22°	175	61,927	53·2	33·9
Natal and Zululand	10	7,028	3·0	17·1
Orange River Colony	1	518	·3	23·2
Swaziland ...	1	963	·3	12·5
Transvaal ...	42	15,442	12·8	32·6
Others	—	31	—	—
South of Lat. 22°	276	110,598	83·9	29·9
Beira and Chinde...	1	105	·3	114·3
British Central Africa Protectorate	4	831	1·2	57·8
German South-West Africa	5	458	1·5	131·0
Mozambique	25	3,893	7·6	77·1
North-Eastern Rhodesia and Fort Jameson	—	208	—	—
Nyassa	—	729	—	—
Southern Rhodesia	2	1,136	·6	21·1
Zambesia, Quilimane, and Tete...	16	2,043	4·9	94·0
North of Lat. 22°	53	9,403	16·1	67·6
South of Lat. 22°	276	110,598	83·9	29·9
Total	329	120,001	100·0	32·9

JULY, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	18	5733	5·3	37·7
British Bechuanaland	3	1084	·9	33·2
Cape Colony	21	15,914	6·2	15·8
East Coast, South of Lat. 22°	176	62,720	52·2	33·7
Natal and Zululand	10	6,838	3·0	17·5
Orange River Colony	—	495	—	—
Swaziland ...	1	1,006	·3	11·9
Transvaal ...	46	15,680	13·7	35·2
Others	—	34	—	—
South of Lat. 22°	275	109,504	81·6	30·1
Beira and Chinde...	—	108	—	—
British Central Africa Protectorate	14	907	4·2	185·2
German South-West Africa	—	468	—	—
Mozambique	25	3,856	7·4	77·8
North-Eastern Rhodesia and Fort Jameson	2	200	·6	120·0
Nyassa	5	777	1·5	77·2
Southern Rhodesia	5	1,012	1·5	59·3
Zambesia, Quilimane, and Tete...	11	2,030	3·3	65·0
North of Lat. 22°	62	9,358	18·4	79·5
South of Lat. 22°	275	109,504	81·6	30·1
Total	337	118,862	100·0	34·0

AUGUST, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	27	5,652	8·0	57·3
British Bechuanaland	3	974	·9	37·0
Cape Colony	18	16,171	5·3	13·4
East Coast, South of Lat. 22°	186	63,922	55·0	34·9
Natal and Zululand	8	6,867	2·4	14·0
Orange River Colony	—	502	—	—
Swaziland	5	1,200	1·5	50·0
Transvaal	39	15,546	11·5	30·1
Others	—	41	—	—
South of Lat. 22°	286	110,875	84·6	31·0
Beira and Chinde...	—	105	—	—
British Central Africa Protectorate	7	908	2·1	92·5
German South-West Africa	4	481	1·2	99·8
Mozambique	19	3,770	5·6	60·5
North-Eastern Rhodesia and Fort Jameson ...	1	211	·3	56·9
Nyassa	5	775	1·5	77·4
Southern Rhodesia	7	1,045	2·1	80·4
Zambesia, Quilimane, and Tete	9	2,019	2·7	53·5
North of Lat. 22°	52	9,314	15·4	67·0
South of Lat. 22°	286	110,875	84·6	31·0
Total	338	120,189	100·0	33·7

SEPTEMBER, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	16	5,514	5·9	34·8
British Bechuanaland	3	934	1·1	38·5
Cape Colony	17	17,848	6·3	11·4
East Coast, South of Lat. 22°	151	65,584	55·9	27·6
Natal and Zululand	4	6,847	1·5	7·0
Orange River Colony	—	568	—	—
Swaziland	—	1,449	—	—
Transvaal	36	15,023	13·3	28·8
Others	1	42	·4	285·7
South of Lat. 22°	228	113,809	84·4	24·0
Beira and Chinde	—	110	—	—
British Central Africa Protectorate	5	927	1·9	64·7
German South-West Africa	3	523	1·1	68·8
Mozambique	12	3,703	4·4	38·9
North-Eastern Rhodesia and Fort Jameson ...	—	322	—	—
Nyassa	5	795	1·9	75·5
Southern Rhodesia	4	1,133	1·5	42·4
Zambesia, Quilimane, and Tete	13	2,005	4·8	77·8
North of Lat. 22°	42	9,518	15·6	53·0
South of Lat. 22°	228	113,809	84·4	24·0
Total	270	123,327	100·0	26·3

OCTOBER, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	12	5,392	4·2	26·7
British Bechuanaland	4	905	1·4	53·0
Cape Colony	21	19,299	7·3	13·1
East Coast, South of Lat. 22°	163	67,682	57·0	28·9
Natal and Zululand	8	6,923	2·8	13·9
Orange River Colony	1	606	·3	19·8
Swaziland	2	1,752	·7	13·7
Transvaal	28	14,239	9·8	23·6
Others	—	37	—	—
South of Lat. 22°	239	116,835	83·6	24·5
Beira and Chinde	—	136	—	—
British Central Africa Protectorate	7	957	2·4	87·8
German South-West Africa	—	453	—	—
Mozambique	16	3,929	5·6	48·9
North-Eastern Rhodesia and Fort Jameson ...	1	209	·3	57·4
Nyassa	8	828	2·8	115·9
Southern Rhodesia	3	1,224	1·0	29·4
Zambesia, Quilimane, and Tete	12	2,083	4·2	69·1
North of Lat. 22°	47	9,819	16·4	57·4
South of Lat. 22°	239	116,835	83·6	24·5
Total	286	126,654	100·0	27·1

NOVEMBER, 1907.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland...	17	5,434	6·4	37·5
British Bechuanaland	1	904	·4	13·3
Cape Colony	18	20,605	6·7	10·5
East Coast, South of Lat. 22°	160	69,538	59·9	27·6
Natal and Zululand	6	6,850	2·2	10·5
Orange River Colony	—	584	—	—
Swaziland	1	1,953	·4	6·1
Transvaal	31	13,692	11·6	27·2
Others	—	168	—	—
South of Lat. 22°	234	119,728	87·6	23·5
Beira and Chinde	—	187	—	—
British Central Africa Protectorate	1	908	·4	13·2
German South-West Africa	3	459	1·1	78·4
Mozambique	8	4,485	3·0	21·4
North-Eastern Rhodesia and Fort Jameson ...	1	214	·4	56·1
Nyassa	1	828	·4	14·5
Southern Rhodesia	4	1,263	1·5	38·0
Zambesia, Quilimane, and Tete	15	2,309	5·6	78·0
North of Lat. 22°	33	10,653	12·4	37·2
South of Lat. 22°	234	119,728	87·6	23·5
Total	267	130,381	100·0	24·6

December, 1907.

Territory	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	15	5,238	4·8	34·4
British Bechuanaland	5	847	1·6	70·8
Cape Colony	29	21,430	9·3	16·2
East Coast, South of Lat. 22°	171	70,334	54·6	29·2
Natal and Zululand	7	6,667	2·2	12·6
Orange River Colony	—	609	—	—
Swaziland	4	2,180	1·3	22·0
Transvaal	22	13,564	7·0	19·5
Others	—	40	—	—
South of Lat. 22°	253	120,909	80·8	25·1
Beira and Chinde	1	234	·3	51·3
British Central Africa Protectorate	3	954	1·0	37·7
German South-West Africa	1	469	·3	25·6
Mozambique	30	4,874	9·6	73·9
North-Eastern Rhodesia and Fort Jameson	1	249	·3	48·2
Nyassa	3	786	1·0	45·8
Southern Rhodesia	5	1,293	1·6	46·4
Zambesia, Quilimane, and Tete	16	2,485	5·1	77·3
North of Lat. 22°	60	11,344	19·2	63·5
South of Lat. 22°	253	120,909	80·8	25·1
Total	313	132,253	100·0	28·4

January, 1908.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	13	4,968	3·8	31·4
British Bechuanaland	2	944	·6	25·4
Cape Colony	24	22,532	7·0	12·8
East Coast, South of Lat. 22°	198	70,797	57·9	33·6
Natal and Zululand	—	6,493	—	—
Orange River Colony	2	653	·6	36·8
Swaziland	2	2,282	·6	10·5
Transvaal	31	15,125	9·1	24·6
Others	—	45	—	—
South of Lat. 22°	272	123,839	79·5	26·4
Beira and Chinde	—	267	—	—
British Central Africa Protectorate	2	754	·6	31·8
German South-West Africa	3	458	·9	78·6
Mozambique	37	4,930	10·8	90·1
North-Eastern Rhodesia and Fort Jameson	1	225	·3	53·3
Nyassa	5	775	1·5	77·4
Southern Rhodesia	4	1,614	1·2	29·7
Zambesia, Quilimane, and Tete	18	2,527	5·3	85·5
North of Lat. 22°	70	11,550	20·5	72·7
South of Lat. 22°	272	123,839	79·5	26·4
Total	342	135,389	100·0	30·3

FEBRUARY, 1908.

Territory.	Deaths from Disease.	Average Number Employed.	Percentage of Mortality.	Death Rate per 1,000 per annum.
Basutoland	15	4,657	3·3	38·7
British Bechuanaland	—	1,091	·8	—
Cape Colony	29	24,983	17·6	13·9
East Coast, South of Lat. 22°	170	71,213	50·1	28·6
Natal and Zululand	10	6,465	4·5	18·6
Orange River Colony	1	722	·5	16·6
Swaziland	8	2,363	1·7	40·6
Transvaal	32	19,139	13·5	20·1
Others	—	40	—	—
South of Lat. 22°	265	130,673	92·0	24·3
Beira and Chinde	—	306	·2	—
British Central Africa Protectorate	—	499	·4	—
German South-West Africa	1	440	·3	27·3
Mozambique	27	4,867	3·4	66·6
North-Eastern Rhodesia and Fort Jameson ...	1	215	·2	55·8
Nyassa	2	764	·5	31·4
Southern Rhodesia	2	1,963	1·4	12·2
Zambesia, Quilimane, and Tete	21	2,393	1·7	105·7
North of Lat. 22°	54	11,437	8·0	56·7
South of Lat. 22°	265	130,673	92·0	24·3
Total	319	142,110	100·0	26·9

TRANSVAAL.

PAPERS

RELATING TO THE

FORM OF CONTRACT IN USE IN CONNECTION WITH THE RECRUITMENT OF NATIVE LABOURERS FOR THE TRANSVAAL MINES IN PORTUGUESE EAST AFRICA.

Presented to both Houses of Parliament by Command of His Majesty.
July, 1908.

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1908.

[Cd. 4121.] *Price ½d.*

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3	The Governor ...	Telegram, 1.	4 June (Rec. June 4.)	States that Portuguese natives residing in the Transvaal could not be compulsorily repatriated without special legislation, and indicates present procedure.	4
4	The Deputy-Governor.	Telegram	19 June (Rec. June 19.)	Observes that obligations undertaken by natives under clauses 1, 2, and 3, of the Portuguese contract have not hitherto been recorded in contracts registered on arrival of natives in the Transvaal.	4

TRANSVAAL.

PAPERS

RELATING TO THE

FORM OF CONTRACT IN USE IN CONNECTION WITH THE RECRUITMENT OF NATIVE LABOURERS FOR THE TRANSVAAL MINES IN PORTUGUESE EAST AFRICA.

No. 1.

Form of Contract.

(Translation.)

Government General of the Province of Mozambique.

District of

No. from Camp. No. (serial) of Contract

The Recruiter , subject, in the employ and under the responsibility of , hereby does contract in accordance with the clauses of the Regulations of Emigration natives referred to in this contract for work in the Mining Industries of the Transvaal, during the period of one year to be counted from the departure from Portuguese Territory, at a minimum salary of shillings for each utilized working day and per adult, from which no deduction shall be made without authority from the Portuguese Government, with the exception of the maximum sum of One Pound Sterling to cover costs of transportation, looking after and feeding same during journey to Ressano Garcia, whenever they return to the Province; food, medical assistance, and housing shall be supplied unto them free of charge from the date of contract.

I hereby undertake the obligations, either on my behalf or on behalf of the above-mentioned parties, or in the name of the mine to which I allot these natives, to comply with all the conditions of the regulations above referred to, and especially, to employ the contracted natives exclusively within the Territory of the Transvaal, and in the mines belonging to ; to facilitate their communication with their Curator or Representatives and further to effect and defray their cost of repatriation in accordance with the obligations undertaken by them at foot and in accordance with the compromises which we have made with the Government General of the Province.

, 190 .

The Recruiter

We, the natives included in this contract, hereby undertake the following obligations:—

(1) To return to Portuguese Territory, viâ Ressano Garcia, immediately the period of this contract has ended, or of the subsequent period of re-engagement which we may later on effect:

(2) To work in no other Mines than those belonging to either during the original period of contract, or during those of re-engagement, we undertaking to do to the extent of our strength and health, and in harmony with what is prescribed in the regulations which are applicable to us:

1500/G1935 Wt 8955 7/08 D & S 5 32905

(3) Not to remain in any case in Transvaal Territory for more than five years counting from the date of leaving Portuguese Territory, to where we shall return under the above-mentioned conditions, immediately such period has expired:

(4) To consent that from the salaries of our original period of engagement, a deduction be made by of not more than One Pound Sterling to cover the expenses of conducting, feeding and surveillance, during the journey from the Mine on which we may be working to Ressano Garcia, which we shall do, availing ourselves only of the means which may be put at our disposal for that purpose by the same parties, and according to what is above mentioned.

The natives included in this contract have agreed before me, of their own free will, to the above-expressed obligations, which they undertake to rigorously fulfil and to which I give due validity by signing this contract.

, , 190 .

The *

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* Governor of District, Military Commander, Head of Military Divisions (Circumverificā), or Fiscal of Emigration.

No. 2.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.25 p.m., 21 May, 1908.)

TELEGRAM.

(Extract.)

21st May. No. 1. Can you state under what law contractual obligation of Portuguese natives to return to Mozambique can be made effective? I should be glad to learn whether I am right in supposing that it would not be possible to hand over natives without special legislation.—CREWE.

No. 3.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.55 p.m., 4 June, 1908.)

TELEGRAM.

4th June. No. 1. Your telegram of 21st May, No. 1.† As you suppose, Portuguese natives residing in Transvaal could not be compulsorily repatriated without special legislation. At the present time, Transvaal officials refer natives, whose Portuguese nationality is disclosed in connection with administration of Pass Regulations and who have not acquired domicile here, to the Curator, who has opportunity of influencing these natives in accordance with views of his Government. Curator's action is, of course, only advisory.—SELBORNE.

No. 4.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received 5.48 p.m., 19 June, 1908.)

TELEGRAM.

19th June. It may be noted that obligations undertaken by natives under Clauses 1, 2, and 3 of Portuguese contract have not hitherto been recorded in contracts registered on arrival of natives in Transvaal.—METHUEN.

---

† No. 2.

TRANSVAAL.

CORRESPONDENCE

RELATING TO A

PROPOSAL TO RECRUIT LABOUR IN MADAGASCAR FOR EMPLOYMENT IN THE TRANSVAAL MINES.

Presented to both Houses of Parliament by Command of His Majesty.
November, 1908.

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1908.

[Cd. 4357.] *Price 1d.*

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			1908.		
1	The Governor ...	—	December 30, 1907, (Rec. Jan. 18, 1908.)	Transmits copy of a Minute from Ministers requesting that the French Government may be asked whether they are prepared to sanction the recruitment of native labour in Madagascar for the mines of the Transvaal.	3
2	To the Governor ...	Telegram, 1.	February 8	Enquires whether it is to be understood that Ministers do not propose to provide for compulsory repatriation of labourers from Madagascar on expiry of contracts, as in the case of Chinese, but are willing that they should remain in the Transvaal if they so desire.	7
3	The Governor ...	Telegram, 1.	February 19 (Rec. Feb. 19.)	States, that in the event of native labourers being recruited in Madagascar for the mines, the Transvaal Government do not intend to provide for any compulsory repatriation on expiration of contracts.	7
4	To the Governor ...	—	April 16	Refers to a statement by the Governor-General of Madagascar in a speech made on 11th February, relative to the proposed recruiting of native labour in Madagascar for the Transvaal mines, and enquires whether Ministers still desire that permission to recruit should be sought from the French Government.	8
5	The Governor ...	—	May 18 (Rec. June 6.)	Forwards Minute from Ministers, stating that it is not desired that any further action should be taken.	8

TRANSVAAL.

CORRESPONDENCE

RELATING TO A

PROPOSAL TO RECRUIT LABOUR IN MADAGASCAR FOR EMPLOYMENT IN THE TRANSVAAL MINES.

No. 1.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received January 18, 1908.)

MY LORD, Governor's Office, Johannesburg, December 30, 1907.

I HAVE the honour to enclose, for your consideration, a copy of a Minute from Ministers on the subject of the recruitment of native labour in Madagascar for employment on the mines of the Transvaal.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 1.

MINISTERS to GOVERNOR.

(Minute, No. 724.)

Prime Minister's Office, Pretoria, December 27, 1907.

Ministers have the honour to recommend His Excellency the Governor to invite the Secretary of State for the Colonies to ascertain through the Foreign Office whether the French Government would be prepared to sanction the recruitment of native labour in Madagascar for employment on the mines in this Colony.

Ministers are led to believe that, if recruiting facilities can be afforded, a good many natives may be expected to take advantage of the lucrative employment which would be open to them on the goldfields.

The estalbishment and maintenance of a satisfactory supply of unskilled labour from Madagascar for the mining industries of the Transvaal would appear to Ministers to offer certain prospects of mutual advantage to both countries, inasmuch as it would tend :—

(*a*) to the promotion of trade relations between them by inducing an interchange of local products and manufactures and general articles of commerce;
(*b*) to an improvement in the existing means of communication, by the institution of a more frequent and expeditious postal service;
(*c*) to the development of a regular shipping service by increasing the imports and exports, and providing for a considerable and constant flow of passengers;
(*d*) to the prosperity of seaports and railways; and
(*e*) to the circulation in Madagascar of a considerable amount of money on account of wages earned on the mines.

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In the event of this proposal being favourably entertained, Ministers would suggest that all recruiting operations should be left as far as possible to private enterprise under a system of supervision to be agreed upon between the two Governments concerned, possibly upon the general lines of the agreement recently concluded between the Transvaal and Cape Colony Governments, of which a copy is enclosed.

In considering this question, it may be of interest to the French Government to have before it the existing regulations affecting native labour in this Colony.

LOUIS BOTHA.

MEMORANDUM* of Native Labour Scheme agreed to between the Director of the Transvaal Government Native Labour Bureau and the Cape Government Native Affairs Department.

1. The Cape Government, through the officers mentioned in the annexure "A" hereto annexed, will arrange to provide natives wishing to proceed to the Rand in search of work in the mines with rations *en route* and transport from the nearest entraining centre to Johannesburg, free of charge.

2. The cost of rations *en route* to the nearest entraining centre will be paid as an advance through the officers above referred to, and will be recoverable by the Cape Government subject to the terms of this agreement as hereinafter set forth from the Native Labour Bureau by monthly settlement. The amount in each case will be set forth in the manner hereinafter described. The cost of railway transport and of rations *en route* from the nearest entraining centre to Johannesburg supplied by the orders of the officers above referred to will be paid by monthly settlements between the Director of the Transvaal Native Labour Bureau and the Cape Government Railway authorities.

3. Any loss incurred owing to death, desertion, or other cause between the time of issue of the orders for rations and railway transport and the time of arrival at Johannesburg will be borne entirely by the Cape Government. After arrival at the Bureau and before engagement for service any loss similarly incurred in respect of rations *en route* and railway transport will be borne entirely by the Native Labour Bureau or after engagement by employers.

4. Every native desirous of availing himself of the concession herein provided for will be granted a pass on a special form to be used exclusively for the purposes of the scheme. Acceptance of the pass will signify that the holder agrees to the conditions therein set forth and renders himself liable to the repayment of the cost incurred on his behalf until such time as a refund is obtained from his employers.

5. The pass, which is in such a form as to give all particulars of identification required for the purposes of the Transvaal Labour Passport, will be delivered to the Director of the Bureau and will not be available for the return journey, the Transvaal Labour Passport being sufficient for the purpose of obtaining a return journey pass.

6. The officers above referred to will only issue these passes when they are furnished with general or circular advice or otherwise learn from the Director of the Bureau after special enquiry that the labourers can be placed, and when they have satisfied themselves not only as to general conditions but also that the applicants are in apparent good health and are prepared to accept service in the mines for the terms and wages at which employment is offering and the class of employment offering.

7. These passes will be issued only to natives who are proceeding in batches consisting of at least ten natives.

8. The officer issuing passes to the natives forming a batch will advise the Director of the Bureau of their despatch and will also give timely notice to the stationmaster at the entraining centre so that due arrangements may be made for transport and for rations *en route* during the railway journey.

9. The headman or foreman of each batch will be furnished with orders for the purchase of rations (if required) *en route* to the nearest entraining centre, for free railway transport and for the supply of rations by the Railway Department during the journey by rail.

---

* Received in Colonial Office 22nd February.

10. Each pass will show as indicated on the face of it the cost of rations (if any) *en route* to the nearest entraining centre and the amount of the cheap fare from such centre to Johannesburg together with a fee of one shilling which will be charged by the Cape Government so as to cover administration or incidental expenses. The order for rations during the railway journey will bear by endorsement on the back thereof an account of the value of rations supplied to the members of the batch during the railway journey and charged by the Railway Department concerned through the Central South Africa Railways against the Labour Bureau and will be delivered by the headman or foreman of the batch upon arrival at Johannesburg to the Director of the Bureau.

11. Arrangements will be made by the Transvaal Government for rations to labourers while travelling over lines under the administration of the Central South African Railways.

12. Upon arrival at Germiston (Johannesburg) the batch of natives will be met and conducted by an employé of the Bureau to the Bureau Compound, where they will report themselves to the Director or his representative and will remain, being meantime supplied with suitable accommodation and food at the cost of their future employers, until engaged as labourers in the mines.

13. Natives thus arriving at the Bureau Compound will, subject to any specific agreement made prior to issue of their passes, be free to engage themselves to any mine employer offering employment and in making their arrangements with employers will receive advice and every assistance from the Director of the Bureau and all officers serving under him. Here also they will be furnished with the identification labour passport required by the regulations under schedule " B " of Transvaal Proclamation No. 37 of 1901 or an amending law in lieu of the special passes obtained in the Cape Colony. The fee for the passport will be advanced by the Bureau subject to recovery from the employer as hereinafter provided.

14. Upon engaging themselves as mine labourers and upon registration of their contracts of service (as set forth in the details contained in the labour passport) the Director of the Bureau, or any authorised officer serving under him, will satisfy himself that the terms and conditions of service are fully explained, understood, and accepted. He will at the same time arrange for repayment by the employer of the costs in respect of each native labourer representing—

(*a*) Cape Government fee of one shilling (*vide* paragraph 10).
(*b*) Cost of rations *en route* to entraining centre as shown on Cape Government Pass.
(*c*) Cost of railway transport as shown on Cape Government Pass.
(*d*) Proportionate cost in respect of each labourer of rations supplied during railway journey as shown in order.
(*e*) Cost of rations in Bureau Compound.
(*f*) Bureau Capitation Fee.

15. As regards natives from Cape Colony whose contracts have expired the Director of the Bureau will afford every facility to batches desirous of returning and to taking advantage of the cheap fare system. Natives electing to pass through the Bureau compound will for this purpose be accommodated until the full complement of the batch is made up and while waiting will be provided with rations at the lowest possible cost. Cape Colonial Magistrates will be instructed to inform natives proceeding to the Rand of the facilities thus offered and advise them to make arrangements for their return journey only through the Bureau so as to avoid their being victimised by unscrupulous agents.

16. The Director of the Bureau will give his closest attention to the question of the suitability and adequacy, or otherwise, of the arrangements enabling labourers to remit to their relatives, or provide for the safe keeping of, their wages, and in the event of improvements being found advisable will consult the Cape Native Affairs Department in so far as it may be affected by any changes.

17. All communications relating to native labourers on the Rand—complaints made by them, enquiries by relatives, claims to wages due or to moneys belonging to deceased labourers, claims for compensation by natives injured by accident, reports of deaths by accident or otherwise, &c.—will pass direct between the Director of the Bureau and the Magistrates of the Cape Colony. In communicating upon such matters with the Director of the Bureau Magistrates of the Cape Colony will be instructed to confine themselves to a statement of the facts as represented to them

in connection with any complaint, &c., and in special cases deserving of attention to submit any criticism or general remarks they may wish to offer to the Cape Native Affairs Department for such action as may be deemed to be necessary. In this way circumlocution will be avoided and a more expeditious settlement of claims or complaints rendered possible while the head officers in the Cape Colony and the Transvaal will be relieved of unnecessary correspondence.

18. The Director of the Bureau will from time to time furnish Magistrates of the Cape Colony with reports on the labour market giving particulars as to the rates of pay, terms of service, and general conditions.

19. The Director of the Bureau will be afforded facilities for an enquiry and necessary representation in respect of natives travelling on the Cape Government Railways from or to the Rand broadly on the lines laid down in the instructions to the late Protector of Natives.

20. The Cape Native Affairs Department will supply direct to the Bureau (*a*) a return showing the names of licensed labour agents at present engaged in the Cape Colony together with the names of employers on whose behalf they are operating and thereafter a monthly return giving particulars of any new licences issued or changes, (*b*) a summarized monthly return of native labourers on a form similar to that used in the Transvaal and will endeavour to procure for his information (*c*) a monthly return of the cheap fares issued by the Cape Government Railways for journeys from Cape stations to the Transvaal.

21. The arrangements herein set forth in so far as they involve funds being advanced by the Government or the risk of any loss will for the present have effect only in respect of natives proceeding in search of employment in the mines. This reservation will not, however, debar any Cape Colonial natives seeking other employment from taking advantage of the facilities offered by the Bureau which will upon application afford them every assistance. But at present neither the Bureau nor the Cape Government undertakes any financial responsibility in respect of such natives, who will be required to pay for their transport, for rations, or other services rendered on their behalf. The same will apply to natives recruited by private labour agents or proceeding of their own accord in search of work. (N.B.—The Director is arranging that all natives engaging themselves for service through recruiters will pass through the Bureau.)

22. With a view to avoiding the opportunities for desertion arising out of a practice of natives in the Cape Colony obtaining passes by impersonation and sending them by post to labourers in service the Cape Government will endeavour to arrange that all passes issued to Colonial natives will be stamped (with a rubber stamp) at the entraining centre and thereafter Pass Issuers at Johannesburg will not recognise any Colonial Passes which are not so stamped unless after due enquiry they are found to be genuine.

23. The Transvaal Government will make due arrangements in respect of any Cape Colonial native proceeding by way of Natal to Johannesburg under the above arrangements for the acceptance by the Natal Government Railways of orders by Cape Magistrates for railway transport and the supply of rations *en route*.

24. The Cape Government undertakes that all natives proceeding to the Transvaal for labour under this scheme shall be medically examined before being finally entrained *en route* for Johannesburg.

25. Subject to confirmation by the Governments concerned the above arrangements will take effect from the 1st September next or such later date as may hereafter be notified.

Director,
Transvaal Government Native Labour
Bureau.

August, 1907.

Secretary to the Native Affairs Department,
Cape Colony.

ANNEXURE " A."

The SECRETARY TO THE NATIVE AFFAIRS DEPARTMENT, Cape Town.

Colony Proper.

The Resident Magistrate, Albany
,, ,, East London.
,, ,, Fort Beaufort.
Special Magistrate, King Williams Town
Assistant Resident Magistrate, Middledrift
Assistant Resident Magistrate, Keiskama Hoek
The Resident Magistrate, Lady Frere

The Resident Magistrate, Herschel
,, ,, Komgha
,, ,, Peddie
,, ,, Queenstown
,, ,, Stutterheim
,, ,, Victoria East
Wodehouse
Assistant Resident Magistrate, Indwe

Transkeian Territories.

The Resident Magistrate, Bizana
,, ,, Butterworth
,, ,, Elliot
,, ,, Elliotdale
,, ,, Engcobo
,, ,, Flagstaff
,, ,, Idutywa
,, ,, Kentani
,, ,, Kokstad
,, ,, Libode
,, ,, Lusikisiki
,, ,, Maclear
,, ,, Matatiele
,, ,, Mount Ayliff
,, ,, Mount Fletcher

The Resident Magistrate, Frere
,, ,, Mqanduli
,, ,, Ngqeleni
,, ,, Nqamakwe
,, ,, Port St. John's
,, ,, Qumbu
,, ,, Saint Mark's
,, ,, Tabankulu
,, ,, Tsolo
,, ,, Tsomo
,, ,, Umtata
,, ,, Umzimkulu
,, ,, Willowvale
,, ,, Xalanga

and such other officers as may from time to time be added to this list after consultation between the Director of the Bureau and the Cape Secretary to the Native Affairs Department.

No. 2.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 10.42 a.m., 8th February, 1908.)

TELEGRAM.

8th February. No. 1. Your despatch, 30th December.[*] Please ascertain from Ministers whether I rightly assume that they do not propose to provide for compulsory repatriation of labourers on expiry of contracts as in case of Chinese labourers, but are willing that they should remain in Transvaal if they desire to do so.—ELGIN.

No. 3.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12.45 p.m., 19th February, 1908.)

TELEGRAM.

19th February. No. 1. Your telegram of 8th February, No. 1.[†] In the event of native labourers being recruited in Madagascar for employment on the mines, Transvaal Government do not intend to provide for any compulsory repatriation of labourers on the expiration of their contracts.—SELBORNE.

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[*] No. 1.

[†] No. 2.

No. 4.

The SECRETARY OF STATE to the GOVERNOR.

My Lord, Downing Street, 16 April, 1908.

With reference to previous correspondence respecting the proposed recruiting of native labour in Madagascar for employment in the Transvaal mines, I have the honour to state, for the information of your Ministers, that my attention has recently been drawn to a pronouncement on the subject by the Governor-General of Madagascar, in a speech delivered by him on his return to the island on the 11th of February. Monsieur Augagneur is reported to have said that "the native population . . . is so small in proportion to the area that there can be no question of making it still less by allowing emigration to foreign countries. I do not know what foundation there is in this rumour of negotiations with the Transvaal Government in regard to the emigration to that country of 20,000 men of this island. In any case the question was not raised during my visit to France, and I can assure you that so long as I am Governor-General of Madagascar not a single native shall leave this country to go abroad."

I have reason to believe that Monsieur Augagneur's views on the subject are shared by the French Colonial Office; and I should be glad to learn whether, in these circumstances, your Ministers still desire that permission to recruit labourers in the island should be sought from the French Government.

I have, &c.,
CREWE.

No. 5.

The GOVERNOR to the SECRETARY OF STATE.

(Received 6 June, 1908.)

My Lord, Governor's Office, Johannesburg, 18 May, 1908.

With reference to your despatch of the 16th April,* I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of the recruitment of native labour in Madagascar for employment in the Transvaal Mines.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 5.

Ministers to Governor.

(Minute, 307.)

Prime Minister's Office, Pretoria, 15 May, 1908.

With reference to His Excellency the Governor's despatch, No. 50/1/08, of the 7th May, 1908, Ministers have the honour to state that as a result of constant enquiries the Government undertook to ascertain the views of the French Government on the subject of the recruitment of native labour in Madagascar for employment in the Transvaal mines, and that under the circumstances as disclosed in the Secretary of State's despatch of the 16th April, 1908, it is not desired that any further action should be taken in the matter.

Louis Botha.

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* No. 4.

TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS

IN THE

TRANSVAAL.

(*In continuation of* [Cd. 3308], *February*, 1907.)

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1908.

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				Asiatic Law Amendment Act, 1907.	
1	Foreign Office ...	—	April 4	Forwards copy of a note from the Chinese Minister expressing the hope that the Law will not become law, and enquires what answer should be returned.	1
2	British Indian Association, Johannesburg.	Telegram	(Rec. April 7)	Reports protest of a meeting of 1,500 British Indians at Johannesburg, on March 29th, against the Bill; states terms of a suggested compromise, or requests Imperial intervention in the event of its rejection by the Colonial Government.	2
3	To the Governor ...	—	April 12	Transmits note from Chinese Minister received from the Foreign Office, and asks for a report on the subject.	2
4	South Africa British Indian Committee.	—	April 13	Forwards copy of a cablegram from the Diamond Fields Indians supporting the Resolution of Transvaal Indians against the Bill.	2
5	The Governor of Natal.	Telegram, 1.	April 15 (Rec. April 15.)	Submits Resolution from the Natal Indian Congress sympathizing with the struggle of the British Indians against the Bill, and trusting that the Imperial Government will secure full protection for loyal British Indian settlers in the Transvaal.	3
6	The Governor ...	—	April 1 (Rec. Apr. 20.)	Transmits, with remarks, copies of the Ordinance, and trusts that His Majesty will not be advised to exercise his power of disallowance.	3
7	To the Governor ...	—	May 9	States that His Majesty's Government adhere to the opinions already expressed on the general question, but they would not be justified in offering resistance to the general will of the Colony, and the Act will, therefore, be allowed.	9
8	The Governor ...	—	June 10 (Rec. June 29.)	Transmits, in reply to No. 3, minute from Ministers on the subject of the representations made by the Chinese Minister in London respecting the position of Chinese subjects under the Act.	9
				Transvaal Immigration Restriction Bill.	
9	Ditto	Telegram, B.	July 11 (Rec. July 11.)	Conveys substance of a Bill now under consideration by the Parliament of the Transvaal, and recommends the issue of telegraphic instructions with a view to avoiding the delay which would result from the insertion of a suspending clause.	10

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
				Immigration Restriction Bill.	
10	To the Governor ..	Telegram, 1.	July 16	States that it does not appear possible to deal with the subject by telegraph, and that the Secretary of State must have full text of the measure as passed by Parliament before he advises His Majesty with regard to it.	11
				Asiatic Law Amendment Act, 1907.	
11	The Governor ...	—	July 8 (Rec. July 27.)	Transmits copy of a Minute from Ministers stating that after careful consideration of the representations of the Secretary of State, and after investigation of the various systems of identification that now exist, they conclude that there is no alternative but to adopt the finger impression system, and submits observations on the system and on the practice of procuring fraudulent admission for Asiatics.	11
12	The Deputy Governor.	Telegram, A.	July 31 (Rec. July 31.)	Enquires, on behalf of Ministers, whether Reuter's report of the reply to questions in Parliament on July 29th by Sir W. Bull as to identification of Asiatics by means of finger prints is correct, and, if so, whether it may be officially published in the Transvaal.	28
13	The Governor of the Cape of Good Hope.	Telegram, 1.	July 31 (Rec. July 31.)	Submits message from the British Indian community in the Cape Colony to the King praying for the revocation of the Law.	28
14	To the Deputy Governor.	Telegram, 3.	August 1	Gives, in reply to No. 12, the terms of the reply, which may be published.	28
15	To the Governor of the Cape of Good Hope.	—	August 10	Communicates reply of the King to the petition of the British Indian community in No. 13.	29
16	To the Governor ...	Telegram, 1.	August 16	States that Press telegrams report that the British Indian community have generally refused to take action required by the Act; asks to be kept informed of developments.	30
				Position of British Indians in the Transvaal.	
17	Ditto	—	August 17	Transmits copy of a question and reply in the House of Commons, and requests that Ministers may consider the question of granting British Indians the right to acquire property in the business premises which they occupy outside Asiatic locations.	30
				Immigrants Restriction Act.	
18	The Deputy Governor.	—	September 9 (Rec. Sept. 28.)	Forwards copy of the Act for the signification of His Majesty's pleasure, together with a report thereon by the Attorney-General.	31

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Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
				Asiatic Law Amendment Act, 1907.	
19	The Deputy Governor.	—	September 16 (Rec. Oct. 5.)	Forwards Minute from Ministers reporting an organized campaign of resistance.	37
				Immigrants Restriction Act, 1907.	
20	Ditto	—	September 16 (Rec. Oct. 5.)	Transmits Minute from Ministers enclosing a Petition from the British Indian Association praying for disallowance of the Act.	38
21	To India Office ...	—	October 10	Transmits, with remarks, copies of No. 18, and requests views on Sections 2 (4) and 6 (c) of the Act; proposes to accept the two provisions referred to.	43
22	To Foreign Office ...	—	October 10	Transmits, with remarks, copies of No. 18, and requests view with regard to Section 6 (*b*) of the Act, and those provisions relating to Asiatics who are not British subjects.	44
23	To the Governor ...	Telegram, 1.	October 17	Refers to No. 20, and requests a full report from Ministers pointing out the particulars in which the petition is inaccurate.	45
				Vrededorp Stands Act, 1907.	
24	The Deputy Governor.	—	October 7 (Rec. Oct. 26.)	Submits Act No. 27 of 1907 with report by Attorney-General.	46
				Right of British Indians to acquire property in the Transvaal.	
25	Ditto	—	October 7 (Rec. Oct. 26.)	Transmits copy of a minute from Ministers stating that it is not possible to entertain the suggestion in No. 17.	52
				Immigrants Restriction Act.	
26	India Office ...	—	October 31	Promises an expression of Mr. Morley's views on the Act, but, in the meantime, takes exception to the view that the Act may be regarded as similar to legislation passed in other Colonies.	52
27	Ditto	—	November 11	Conveys Mr. Morley's views	53
28	Foreign Office ...	—	November 14	Considers that the non-disallowance of the Act should be made conditional on the undertaking that the powers conferred by Section 6 (*b*) of the Act shall be limited to persons convicted of some offence.	54
				Imprisonment of Ram Sunder.	
29	The British Indians (Transvaal).	Telegram	November 17 (Rec. Nov. 17.)	Protests against	54

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
30	The Governor of Natal.	Telegram	(Rec. Nov. 18)	Transmits, on behalf of the Natal Indian Congress, copy of a resolution passed at a mass meeting of Natal Indians, protesting against the arrest of and sentence on Ram Sunder and requesting the intervention of the home Government.	55
				Asiatic Law Amendment Act.	
31	South Africa British Indian Committee.	—	November 18	Encloses copy of a petition addressed by the Transvaal Chinese Association to the Chinese Minister - Plenipotentiary, London, intimating the intention of the Chinese to resist the Act and to offer voluntary registration as an alternative.	55
				Imprisonment of Ram Sunder.	
32	The Indian Association, Port Elizabeth.	Telegram,	(Rec. Nov. 19.)	Protests against class legislation in the Transvaal, and requests that influence may be used on behalf of Ram Sunder.	56
33	The Governor ...	Telegram, 1.	November 22 (Rec. Nov. 22.)	Forwards resolution from mass meeting of British Indians at Germiston requesting His Majesty, with reference to the case of Ram Sunder, to grant protection against oppression, and stating that thousands are ready to prefer imprisonment to sacrifice of principle.	57
34	Ditto	Telegram, 2.	November 22 (Rec. Nov. 22.)	Explains circumstances leading to the imprisonment of Ram Sunder.	57
35	To the Governors of the Transvaal, Cape of Good Hope, and Natal.	—	November 22	Transmits copies of Nos. 29, 30 and 32 and requests that the senders may be informed that it is impossible for the Secretary of State to interfere with the administration of a law in force in the Transvaal.	57
				Immigrants Restriction Act.	
36	To the Governor ...	Telegram, 1.	November 27	States that if Ministers can furnish certain assurances His Majesty will not be advised to disallow the Act.	58
				Asiatic Law Amendment Act.	
37	The Governor ...	—	November 11 (Rec. Nov. 30.)	Forwards copy of a minute from the Colonial Secretary on the subject of the administration of the Act.	58
38	Foreign Office ...	—	December 2	Transmits copy of a note from the Chinese Minister pointing out hardships entailed by the Act, and enquires what reply should be returned.	61

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
39	The Governor ...	Telegram 1.	December 3 (Rec. Dec. 3.)	**Immigrants Restriction Act.** States, in reply to No. 36, that Ministers give the assurances desired.	62
40	To the Governor...	—	December 3	**Imprisonment of Ram Sunaer.** Requests that the British Indians at Germiston may be informed that His Majesty is unable to interfere with the administration of a law in force in the Transvaal.	62
41	Foreign Office ...	—	December 4	**Chinese Residents in the Transvaal.** Forwards copy of a despatch to His Majesty's Minister at Peking reporting a conversation with the Chinese Minister on the subject of the Regulations dealing with Orientals.	63
42	To Foreign Office and India Office.	—	December 10	**Immigrants Restriction Act.** Transmits copies of Nos. 36 and 39, and proposes to inform the Governor that he is at liberty to issue the Proclamation declaring that His Majesty will not be advised to exercise his power of disallowance.	63
43	Foreign Office ...	—	December 10	**Chinese in the Transvaal.** Forwards copy of a despatch to His Majesty's Minister at Peking reporting an interview with the Chinese Minister on the subject of the Minister's suggestion that the Chinese in the Transvaal should be compensated by the Government and sent home.	64
44	To Foreign Office ...	—	December 11	**Asiatic Law Amendment Act.** Acknowledges receipt of Nos. 38 and 41; fears that, in the circumstances indicated, it would be useless to address representations to the Transvaal Government in the sense desired by the Chinese Minister; transmits copy of No. 37, which appears to afford sufficient material for an answer to the Minister.	65
45	India Office ...	—	December 13	**Immigrants Restriction Act.** Learns with satisfaction that the Colonial Ministers have given the assurance desired as to the admission of Indian visitors of distinguished position, and trusts that the hope that the exclusion of further Asiatic immigration will result in more favourable treatment of Asiatic residents in the Transvaal may be justified; Mr. Morley is alive to the difficulty of disallowing the Act.	65

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1907.		
				Case of Ram Sunder.	
46	The Governor ...	—	November 25 (Rec. Dec. 14.)	Forwards extract from the "Transvaal Leader" giving a report of the trial, and copy of correspondence with Ministers and the British Indian Association.	66
47	Ditto	—	November 25 (Rec. Dec. 14.)	Forwards copy of telegraphic correspondence with the Indian Associations of Cape Town, Kimberley, and Port Elizabeth, and copy of a minute to Ministers on the subject of the arrest of Ram Sunder.	72
				Immigrants Restriction Act.	
48	Foreign Office ...	—	December 17	Concurs in the proposal to inform the Governor that His Majesty will not be advised to exercise his power of disallowance.	73
49	To the Governor ...	Telegram 1.	December 19	States that His Majesty will not be advised to exercise his power of disallowance, and that the Proclamation bringing the Act into operation may be issued.	73
50	The Governor ...	Telegram, 1.	December 19 (Rec. Dec. 19.)	Enquires whether the Act can now be brought into force, and states that considerable inconvenience is being experienced owing to inability to proceed under the Act.	73
51	Ditto	—	December 2 (Rec. Dec. 21.)	Forwards, with reference to No. 23, minute from Ministers in reply to the petition of the British Indian Association of the Transvaal against the Act.	74
52	Ditto	—	December 9 (Rec. Dec. 28.)	Forwards copy of a Minute from Ministers giving the assurances requested in No. 36, and submitting remarks on the question of the power of expulsion.	74
				Asiatic Law Amendment Act.	
53	The South Africa British Indian Committee.	—	(Rec. Dec 24)	Petitions from Indian ex-soldiers and Indian residents in the Transvaal calling attention to their grievances under the Act.	75
				Immigrants Restriction Act.	
54	South Africa British Indian Committee.	—	December 30	Encloses telegram relating to the impending trial of Mr. Gandhi and other Indians for non-registration, and concludes that the Transvaal Government have construed sanction of the Act as a direct instruction for the wholesale deportation of British Indians; requests that instructions may be cabled to the High Commissioner to withhold sanction from such drastic action for the present.	76

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1908.		
				Admission into Southern Rhodesia of British Indians from the Transvaal.	
55	The High Commissioner.	Telegram. 1.	January 1 (Rec. Jan. 1.)	Submits telegraphic correspondence with the Administrator of Southern Rhodesia, relative to prohibiting the entry into Southern Rhodesia of certain Indians who have not complied with the Registration Law and are temporarily leaving the Transvaal.	77
				Immigrants Restriction Act.	
56	To the South Africa British Indian Committee.	—	January 3	Repudiates the suggestion in No. 54 that the assent of His Majesty's Government has been construed as a direct instruction for the wholesale deportation of Indians, and asks that the Committee will use its influence to pacify and not embroil the passions engendered by the controversy.	77
				Asiatic Law Amendment Act, 1907.	
57	The Governor ...	—	December 16, 1907 (Rec. Jan, 4, 1908.)	Transmits copy of correspondence with the Acting Imperial Chinese Consul-General and with Ministers on the position of Chinese subjects under the Act.	78
58	To the Governor ...	Telegram, 2.	January 10	Enquires as to truth of Press telegram reporting a statement by the Colonial Secretary, Pretoria, that the Chinese Consul had assured him there were no objections to registering Chinese.	80
				Admission into Southern Rhodesia of British Indians from the Transvaal.	
59	The High Commissioner.	Telegram, 6.	January 10 (Rec. Jan. 10.)	Reports decision of the Southern Rhodesia Administration that it is undesirable that unregistered Asiatics from the Transvaal should be allowed to enter the territory.	81
				Asiatic Law Amendment Act.	
60	The British Indians at the Cape.	Telegram	(Rec. Jan. 11)	Appeals for intervention on behalf of the Indians of the Transvaal in their resistance to the Registration Laws.	81
				Asiatic Law Amendment and Immigration Restriction Acts.	
61	The Governor of Natal.	Telegram	(Rec. Jan. 11)	Submits message from Natal Indians protesting against the oppression of the Acts and deploring the impotence of the Imperial Government to extend effectual help.	81
62	The Indian Association, East London.	Telegram	(Rec. Jan. 14.)	Protests against the action of the Transvaal Government, and prays for intervention and relief of their brethren from cruel imprisonment.	81

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1908.		
63	To the Governor ...	Telegram, 1.	January 15	**Immigrants Restriction Acts.** Refers to paragraph 13, Schedule G, of the Regulations in the "Gazette" of June 28th, and suggests that discretion should be given to the responsible officer to enact the thumb print or not in such cases as those covered by the assurance given by Ministers in No. 37.	81
64	The Governor ...	Telegram, 1.	January 24 (Rec. Jan. 24.)	**Asiatic Law Amendment Act.** Reports, in reply to No. 58, that the Chinese Consul did assure the Colonial Secretary that domiciled Chinese had no objection to registering, but subsequently stated that they had changed their minds and objected to giving their finger impressions.	82
65	Ditto	Telegram, 2.	January 24 (Rec. Jan. 24.)	**Immigrants Restriction Act.** Reports that Ministers are agreeable that discretion should be exercised in the matter of thumb prints, and furnishes their explanation of the number of impressions required.	82
66	To the Governor ...	Telegram, 1.	January 24	**Vrededorp Stands Act.** Sanctions the Act enclosed in No. 24; expresses satisfaction that it effects some improvement in the position of Asiatics at Vrededorp.	82

APPENDIX.

I.—Transvaal Government Notices fixing dates for the coming into force of provisions of the Asiatic Law Amendment Act in regard to registration, October 3 and October 31 83

II.—The Peace Preservation Ordinance, 1902 84

TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS

IN THE

TRANSVAAL.

No. 1.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received April 5, 1907.)

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies, and is directed by the Secretary of State for Foreign Affairs to transmit the accompanying copy of a note from the Chinese Minister respecting the Chinese residents in Transvaal.

The Secretary of State would be glad to be advised what answer should be returned to M. Wang Tahsieh.

Foreign Office,
April 4, 1907.

Enclosure in No. 1.

Chinese Minister to Sir E. Grey.

Your Excellency, Chinese Legation, March 26, 1907.

On the 1st of November last, I had the honour to address a note to Your Excellency concerning the grievances which the Chinese residing in the Transvaal and those who wish to enter that Colony would suffer under the new Bill, entitled "The Asiatic Law Amendment Ordinance."

In reply thereto, on January 16th, Your Excellency was so good as to inform me that the Secretary of State for the Colonies had informed Lord Selborne that he was not able, without further consideration, to advise His Majesty that the said Ordinance should be brought into operation.

I need hardly say with what satisfaction I received that announcement, and I am sorry that I have to approach Your Excellency again, and so soon, on this subject.

I have received telegrams from the Chinese Consul-General in the Transvaal and also from other sources stating that the said Ordinance has again been brought up and has been passed by the new Parliament of the Transvaal.

I need not repeat here the objections which I pointed out to Your Excellency in my despatch of November 1st, but considering that, apart from the fact that the Ordinance is not in consonance with the principles of international comity, it is indeed repugnant to the policy of fairness and equality which is always advocated for in the United Kingdom, I trust that the representations which I venture to make to Your Excellency will receive the consideration of His Majesty's

Government, and that Your Excellency will be able to announce to me, that when the question comes up, His Majesty's Government will be favourably disposed to exercise such power that the said Ordinance will not become law and be put into operation.

I have, &c.,
WANG TAHSIEH.

The Right Honourable
Sir Edward Grey, Bart., M.P.,
&c., &c., &c.

No. 2.

BRITISH INDIAN ASSOCIATION, JOHANNESBURG, to COLONIAL OFFICE.

(Received April 7, 1907.)

TELEGRAM.

Mass meeting British Indians March 29th, attendance 1,500, passed resolutions protesting against Asiatic Law Amendment Bill recently passed by Transvaal Parliament. Suggested voluntary re-registration exchange for present certificates held by community. Form new certificate to be mutually agreed. All requirements of Bill satisfied by proposal without offensive character Bill. If compromise not accepted Association request Imperial intervention on behalf British Indians who represent weak voteless minority.

Immediately on passage Bill, which was rushed through Parliament twenty-four hours, Association requested Government forward cable to you, but latter refused, adding no objection Association cabling directly. Hence this cable. Further representation follows after result negotiations Local Government.—BRITISH INDIAN ASSOCIATION.

No. 3.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 8.]

MY LORD, Downing Street, April 12, 1907.

I HAVE the honour to transmit to you, to be laid before your Ministers, the accompanying copy of correspondence* with the Foreign Office with regard to representations which have been made by the Chinese Minister respecting the position of Chinese subjects under the new Asiatic Law Amendment Bill which it is reported has been passed by the Legislature of the Transvaal.

I should be glad to receive a report on the subject.

I have, &c.,
ELGIN.

No. 4.

SOUTH AFRICA BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received April 15, 1907.)

28, Queen Anne's Chambers, Broadway,
Westminster, S.W., April 13, 1907.

Asiatic Registration Bill, Transvaal.

SIR,

I AM directed by my Committee to forward you the enclosed copy cablegram just received from the British Indian community of the Diamond Fields, Griqualand West, in support of the resolutions passed on the 29th ultimo at a mass meeting of British Indians of the Transvaal, protesting against the recently enacted Asiatic Registration Bill.

I have, &c.,
L. W. RITCH,
Secretary.

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* See No. 1.

Enclosure in No. 4.

BRITISH INDIANS, Kimberley, to SECRETARY, South Africa British Indian Committee, London.

April 12, 1907.

Diamond Fields Indian mass meeting sympathise with countrymen in Transvaal *re* vetoed Asiatic Ordinance re-passed by Transvaal Legislature, and request Committee's support, His Majesty's protection and intervention.

No. 5.

THE GOVERNOR OF NATAL to THE SECRETARY OF STATE.

(Received 4.27 p.m., April 15, 1907.)

TELEGRAM.

15th April. No. 1. Natal Indian Congress have requested me forward following resolution:—

> *Begins*: Natal Indian Congress sympathizes with the struggle of the British Indians in the Transvaal against the degrading Asiatic Law Amendment Bill recently passed by the Parliament of the Transvaal and trusts that Imperial Government will be pleased secure full protection for the loyal British Indian settlers in the Transvaal. *Ends.*—McCALLUM.

No. 6.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received April 20, 1907.)

[*Answered by No.* 7.]

MY LORD, Government House, Pretoria, April 1, 1907.

I HAVE the honour to transmit to you three copies of Act No. 2 of 1907 passed by the Legislature of the Transvaal, and entitled an "Act to amend Law No. 3 of 1885."

2. I have assented to the Act, but Your Lordship will observe that it contains a suspending clause to the effect that it shall not take effect unless and until it is proclaimed in the "Gazette" that it is His Majesty's pleasure not to disallow it.

3. The reasons which have led the Legislature to pass this Act are familiar to Your Lordship, and I do not think that it is necessary for me on the present occasion to add anything to the previous correspondence which has passed between us on this subject. I would only repeat that there can be no mistaking the strength of the unanimous demand of all sections of the white community in the Transvaal for the passing of this Act.

4. I hope that it may be possible for you to inform me at an early date that His Majesty will not be advised to exercise his power of disallowance in respect of this Act, so that it may be possible to bring it into force at once, and so to check the illicit and unauthorised influx of Asiatics into the Transvaal which is at present proceeding at an alarming rate.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 6.

ACT TO AMEND LAW No. 3 OF 1885.

ACT No. 2 OF 1907.

A.D. 1907. Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

Repeal. 1. Sub-section (*c*) of Article *two* of Law No. 3 of 1885* as amended by Volksraad Resolutions Article 1419 of the twelfth day of August, 1886, and Article 128 of the sixteenth day of May, 1890, shall be and is hereby repealed.

2. In this Act unless inconsistent with the context;

Definitions. "Asiatic" shall mean any such male person as is described in Article *one* of Law No. 3 of 1885 not being a Malay born and resident in any

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* See Appendix to [Cd. 3251].

British Colony or possession in South Africa nor a person introduced into the Colony under the Labour Importation Ordinance 1904 and not being an officer in the Chinese Consular Service;

"Register of Asiatics" shall mean the register to be kept under this Act as prescribed by Regulation;

"Registrar" shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"Resident Magistrate" shall include an Assistant Resident Magistrate;

"Regulation" shall mean any Regulation made under Section *eighteen* of this Act;

"Guardian" shall mean the parent of an Asiatic under the age of sixteen or any other person under whose care or control such Asiatic is living for the time being or failing any such person the employer of such Asiatic;

"Application for registration" shall mean an application to be placed on the register of Asiatics made in such manner and form as may be prescribed by Regulation and accompanied by the supplying of such particulars and the furnishing of such means of identification as may be required by this Act or by Regulation;

"Applicant" shall mean any person who make application for registration on his own behalf or any person on whose behalf application for registration is made by his guardian;

"Certificate of registration" shall mean a certificate of registration under this Act in the form prescribed by Regulation;

"Lawful holder" as used in relation to any certificate of registration shall mean the person whose registration is thereby certified.

All Asiatics lawfully resident in Colony to be registered.

3.—(1) Every Asiatic lawfully resident in this Colony shall subject to the exceptions hereinafter mentioned be registered in the register of Asiatics and shall thereupon be entitled to receive a certificate of registration and no charge shall be made for such registration or certificate save as in Section *twelve* of this Act provided.

(2) The following shall be deemed for the purposes of this Act to be Asiatics lawfully resident in this Colony:—

(i) Any Asiatic duly authorized to enter and reside in this Colony by a permit issued under the Indemnity and Peace Preservation Ordinance 1902 or any amendment thereof or issued between the first day of September 1900 and the date of the passing of the said Ordinance unless such permit shall have been fraudulently obtained; provided that any permit expressed to authorize any Asiatic to remain in this Colony for a limited time only shall not be deemed to be a permit within the meaning of this sub-section.

(ii) Any Asiatic resident and actually in this Colony on the thirty-first day of May 1902.

(iii) Any Asiatic born in this Colony since the thirty-first day of May 1902 not being the child of any labourer introduced into this Colony under the Labour Importation Ordinance 1904.

Asiatics to apply for registration within fixed time.

4.—(1) Every Asiatic resident in this Colony at the date of the taking effect of this Act shall before such date or dates and at such place or places and to such person or persons as the Colonial Secretary may prescribe by notice in the "Gazette" make application for registration.

(2) Every Asiatic who enters this Colony after the date of the taking effect of this Act and who has not previously been registered thereunder shall within eight days after entering this Colony unless he shall have entered under a permit granted under Section *seventeen* make application for registration to such persons and at such place as may be so prescribed; provided that

(*a*) no application shall be required to be made under this section on behalf of any Asiatic child who at the expiration of the time within which such application is required to be made is under the age of eight years;

(*b*) in the case of any Asiatic child who at the expiration of such time is eight years of age but under sixteen years of age such application shall be made on such child's behalf by his guardian and if not so made shall be made by such child within one month after attaining the age of sixteen years.

Registrar to register applicants if approved and in case of refusal to give notice.

5.—(1) The Registrar shall consider every application for registration made under the last preceding section and register every applicant who is lawfully resident in this Colony or whose application is approved by him and shall cause to be issued to such applicant or the guardian who made the application on his behalf a certificate of registration.

(2) If it shall appear to the Registrar that any applicant is not lawfully resident in this Colony he may refuse to register such applicant and in case of refusal where the applicant is of the age of sixteen years or over shall cause a notice of refusal to be sent by post to the applicant at the address given by him on application and a copy of such notice shall be affixed to the principal door of the Magistrate's Office of the District where such application was made and the Registrar shall by such notice direct such applicant to appear before the Resident Magistrate of the District at a time therein specified being not less than fourteen days from the date of such notice and show cause why he should not be ordered to leave this Colony and if such applicant shall fail to appear at the time specified in such notice or having appeared shall fail to satisfy the Resident Magistrate that he is lawfully resident in the Colony the Resident Magistrate if the applicant is of the age of sixteen years or over shall make an order in writing directing him to leave this Colony within a time to be specified in such order; provided always that if such order is made in the absence of the applicant such time shall run from the date of the service of the order upon him and such order shall be deemed to be an order made under Section *six* of the Peace Preservation Ordinance 1903 and Sections *seven* and *eight* of the said Ordinance shall apply accordingly; provided further that if the Resident Magistrate shall be satisfied that the applicant is lawfully resident within this Colony such Magistrate shall make an order upon the Registrar requiring him to register such applicant and to issue to him a certificate of registration.

Provisions as to particulars to be supplied and applications to be made by guardians.

6.—(1) Any Asiatic who is the guardian of an Asiatic child under the age of eight years shall upon making application for registration on his own behalf supply such particulars and furnish such means of identification in respect of such child as may be prescribed by Regulation and if such guardian is himself registered the particulars aforesaid which he has supplied shall be provisionally noted on the register and such guardian shall within one year after the child aforesaid attains the age of eight years made application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides;

(2) The guardian of every Asiatic child born in this Colony after the date of the taking effect of this Act shall within one year after such child attains the age of eight years make application for registration on such child's behalf at the office of the Resident Magistrate of the District in which he himself resides; provided that

(*a*) where any guardian fails to make application for registration on behalf of any Asiatic child whose guardian he is within the time hereby prescribed for making the same such guardian shall on being thereto required by the Registrar or any Resident Magistrate make such application at any later date;

(*b*) where any application which is required to be made under this section by the guardian of an Asiatic child is not made by such guardian or where such application is refused application for registration shall be made by such Asiatic child at the office of the Resident Magistrate of the District within which he resides within one month after he attains the age of sixteen years.

The Resident Magistrate at whose office any application is made under this section shall cause the record of such application and all documents relating thereto to be forwarded to the Registrar who shall if satisfied that the same is in order register the applicant and cause to be issued to him or his guardian a certificate of registration.

Application for registration by Asiatics on attaining age of sixteen whose guardians have failed to supply particulars.

7. Where particulars as to any Asiatic child under the age of eight years have not been provisionally noted on the register as is in the last preceding section provided by reason of the failure of his guardian to supply such particulars application for registration shall nevertheless be made on behalf of such Asiatic child by his guardian within one year after he attains the age of eight years and if not so made shall be made by such Asiatic child within one month after he attains

the age of sixteen years at the office of the Resident Magistrate of the district in which he resides and the record of such application and all documents relating thereto shall be forwarded to the Registrar who may in his discretion register the applicant and issue to him or his guardian a certificate of registration.

Penalties for failing to make application.

8.—(1) Any person who shall fail to make application for registration as required by this Act either on his own behalf or as guardian on behalf of an Asiatic child shall be liable on conviction to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

(2) Any person who brings into this Colony an Asiatic under the age of sixteen years not lawfully resident therein and any person who shall employ such child in any trade or business shall be guilty of an offence and shall be liable on conviction to the following penalties:

(*a*) to the penalties mentioned in sub-section (1) of this section; and

(*b*) if such person is the holder of a certificate of registration to cancellation of such certificate by the Registrar;

and thereupon the Colonial Secretary may issue an order directing such person to leave this Colony and such order shall be deemed to be an order issued under Section *six* of the Peace Preservation Ordinance 1903 and Sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(3) Any Asiatic over the age of sixteen years who after such date as may be notified by the Colonial Secretary in the "Gazette" is found within the Colony and fails upon such demand as is hereinafter mentioned to produce a certificate of registration of which he is the lawful holder may be arrested without warrant and brought before a Resident Magistrate and if he fails to satisfy such Magistrate that he is the lawful holder of a certificate of registration or that the time within which he is required to make application for such certificate has not expired the Magistrate shall save as in the next succeeding sub-section provided make an order in writing directing such Asiatic to leave this Colony within such time as may be specified in such order and such order shall be deemed to be an order made under Section *six* of the Peace Preservation Ordinance 1903 and Sections *seven* and *eight* of the said Ordinance shall apply accordingly.

(4) If an Asiatic who has failed to make application for registration within the time prescribed by this Act shall satisfy the Magistrate before whom he is brought that such failure was due to some good and sufficient cause the Magistrate may instead of making such order as aforesaid direct such Asiatic forthwith to make application for registration and if such Asiatic shall comply with such direction his application shall be dealt with in all respects as if it had been made within the time within which it was required to be made by this Act and all the provisions of this Act which would have applied if the application had been so made shall apply accordingly but if he shall fail to comply with such direction the Magistrate shall make such order for removal as aforesaid in respect of such Asiatic.

Registration certificate to be produced on demand.

9. Every Asiatic of the age of sixteen years or over entering or residing in this Colony shall upon demand made upon him by any member of a police force lawfully established in this Colony or any other person authorized thereto by the Colonial Secretary produce the certificate of registration of which he is the lawful holder and shall also on like demand supply such particulars and furnish such means of identification as may be prescribed by Regulation.

Every guardian of an Asiatic child under the age of sixteen years shall produce on such demand as aforesaid any certificate of registration of which such child is the lawful holder and supply any particulars and furnish any means of identification required by this Act or any Regulation in respect of such child.

Evidence of registration certificates.

10. Every certificate of registration shall be accepted as conclusive evidence in all places that the lawful holder thereof notwithstanding anything in the Peace Preservation Ordinance 1903 contained is entitled to enter and reside in this Colony; provided always that this section shall not apply to persons who have under Section *ten* of the Peace Preservation Ordinance 1903 been ordered to leave the Colony.

Duty of persons finding lost certificates.

11. Any person into whose hands shall come any certificate of registration or any permit issued under Section *seventeen* of which he is not the lawful holder shall forthwith deliver or transmit the same by post as soon as may be to the Registrar of Asiatics Pretoria.

Any person who fails to comply with the requirements of this section shall be liable on conviction to a fine not exceeding fifty pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding one month.

Provision where registration certificate is lost or destroyed.

12. If at any time any certificate of registration is lost or destroyed the person who was the lawful holder thereof shall apply forthwith to the Registrar to have the same renewed and the Registrar shall upon compliance by such person with the Regulations relating to applications for the renewal of certificates and upon payment of a fee of five shillings renew such certificate. The said fee shall be denoted by means of revenue stamps to be affixed to such application by the applicant for such renewal and shall be defaced by the officer who receives such application.

Trading licenses not to be granted to Asiatics except upon production of certificates.

13. After such date as may be notified by the Colonial Secretary in the *Gazette* no Asiatic shall obtain any trading license issued under the Revenue Licenses Ordinance 1905 or any amendment thereof or under any bye-law in force in a municipality unless he shall produce to the person appointed to issue such license a certificate of registration of which he is the lawful holder and supply such particulars and furnish such means of identification as may be prescribed by Regulation.

Evidence as to age of Asiatic.

14. Whenever in any prosecution or other proceeding under this Act the age of any Asiatic is in question such Asiatic shall unless and until the contrary be proved be taken to be of the age which the Registrar shall in any certificate issued under his hand certify to be in his opinion the apparent age of such Asiatic.

Exemption from stamp duty of affidavit or sworn declaration required by Regulation.

15. Any affidavit or sworn declaration which is required by Regulation to be made by any person who makes an application for registration either on his own behalf or on behalf of some other person shall be exempt from stamp duty.

Offences relating to applications for registration and to registration certificates.

16. Any person who;

(i) for the purpose of or in connection with an application for registration or for the purpose of obtaining a certificate of registration commits any fraudulent act or makes any false statement or false pretence or incites any person to or aids or abets any person in such act statement or pretence;

(ii) forges any certificate of registration;

(iii) uses or attempts to use as his certificate any certificate of registration of which he is not the lawful holder or any forged certificate of registration;

(iv) incites any person to use or aids and abets any person in using as such person's certificate any certificate of registration of which such person is not the lawful holder or any forged certificate of registration;

shall be liable to a fine not exceeding five hundred pounds or in default of payment to imprisonment with or without hard labour for a term not exceeding two years or to both such fine and such imprisonment.

Power to issue permits to Asiatics to remain in Colony for limited period.

17.—(1) Notwithstanding anything in the Peace Preservation Ordinance 1903 contained a permit to enter this Colony may in the absolute discretion of the Colonial Secretary be issued in the form prescribed by Regulation authorizing an Asiatic to enter and remain in this Colony for any period named in such permit and after the expiry of such period the person authorized by such permit to enter this Colony shall be deemed to be a person not duly authorized to be in this Colony and if found may be arrested without warrant and the provisions of Sections *seven* and *eight* of the said Ordinance shall apply to such person as if he were a person who at the date of such expiry had been ordered to leave this Colony under Section *six* of the said Ordinance and had failed to comply with such order.

(2) The provisions of Section *nine* of the said Ordinance shall in all cases apply to permits issued under this section.

(3) Any permit issued before the date of the taking effect of this Act to an Asiatic under the Indemnity and Peace Preservation Ordinance 1902 or any amendment thereof and expressed to authorize such Asiatic to remain in this Colony for a limited time only shall be deemed to be a permit issued under this section.

(4) The Colonial Secretary may in his discretion order that the person authorized by any permit issued under this section to enter and remain in this Colony shall not during the currency of such permit be deemed to be a coloured person for the purpose of the provisions of the Liquor Licensing Ordinance 1902 or any amendment thereof and such order shall be endorsed on such permit and shall be of full force and effect for such purposes.

(5) The Colonial Secretary may issue any such order as in the last preceding sub-section mentioned in respect of any person who is a member of an Asiatic race and is not subject to the provisions of this Act.

Power to make Regulations.

18. The Governor in Council may from time to time make alter and repeal Regulations for any of the following purposes;

(1) prescribing the form of the register to be kept under this Act;

(2) prescribing the manner and form in which application shall be made for registration the particulars to be supplied and the means of identification to be furnished by any applicant or the guardian of any applicant for the purpose of or in connection with such application;

(3) prescribing the form of certificates of registration;

(4) prescribing the particulars to be supplied and the means of identification to be furnished;

(*a*) by the guardian of any Asiatic child under the age of eight years under Section *six* of this Act;

(*b*) by any Asiatic upon such demand as is in Section *nine* of this Act mentioned;

(*c*) by any Asiatic applying for the renewal of any certificate of registration which has been lost or destroyed;

(*d*) by any Asiatic applying for a trading license;

(5) prescribing the form of permit to be issued under Section *seventeen* of this Act.

General penalties.

19. Any Asiatic or the guardian of any Asiatic failing to comply with any requirement of this Act shall except where otherwise specified be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

Provisions as to certain Asiatics under contracts of service.

20. Notwithstanding anything contained in the Labour Importation Ordinance 1904 no Asiatic who is the lawful holder of a certificate of registration and no Asiatic who was lawfully resident in this Colony or allowed to enter it under a proper permit before the date of the said Ordinance shall be prohibited from entering or residing in or being introduced into this Colony by reason of the fact that he is under a contract of service and has not entered into the contract referred to in Section *eight* of the said Ordinance.

Provision as to holding fixed property.

21. Notwithstanding anything contained in sub-section (*b*) of article *two* of Law No. 3 of 1885 as amended by Volksraad Resolution Article 1419 of the twelfth day of August 1886 any fixed property in this Colony acquired by an Asiatic before the taking effect of such Law and registered in the name of such Asiatic whether before or after the taking effect of such Law may be transmitted by such Asiatic to another Asiatic by testamentary or other inheritance.

Title and date of taking effect.

22. This Act may be cited for all purposes as the Asiatic Law Amendment Act 1907 and shall not take effect unless and until the Governor shall proclaim in the *Gazette* that it is His Majesty's pleasure not to disallow the same and thereafter it shall take effect upon such date as the Governor shall notify by Proclamation.

Passed by the Legislative Council,
E. M. O. Clough,
Clerk of the Council.

Passed by the House of Assembly,
Clerk of the House.

No. 7.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 11.]

MY LORD, Downing Street, May 9, 1907

I HAVE the honour to acknowledge the receipt of your despatch of the 1st of April,* forwarding, for the signification of His Majesty's pleasure, Act No. 2 of 1907, of the Legislature of the Transvaal, briefly entitled The Asiatic Law Amendment Act, 1907.

2. This Act is in all essential matters identical with Ordinance No. 29 of 1906,† which formed the subject of my despatch of the 29th of November, 1906,‡ and of your despatch of the 14th of January, 1907.§ Under circumstances which I explained to you I did not feel able to take action with a view to bringing that Ordinance into operation, having regard to the objections which had been brought against it by the persons affected, and to the fact that it had been passed in the last session of a nominated Legislative Council, whose decision in the matter I should not have been justified in taking as the final expression of the will of the people of the Colony.

3. The Act which is now submitted has behind it a very different weight of authority. It has been introduced by the first responsible Ministry of the Colony, and has been passed unanimously by both Houses of the new Legislature. I consider it my duty to place it on record that His Majesty's Government do not consider the position of Asiatics lawfully resident in the Transvaal, as settled by this Act, to be satisfactory; that they adhere to the opinions which have been expressed by successive Secretaries of State as to the desirability of relaxing the restrictions to which Asiatics are at present subject; and that they commend this view to the Transvaal Government in the hope that it may be carefully considered how far practical effect can be given to it. But they feel that they would not be justified in offering resistance to the general will of the Colony clearly expressed by its first elected representatives; and I have accordingly to inform you that His Majesty will not be advised to exercise his power of disallowance with respect to the Act.

4. Your Ministers will be aware that in the representations which were addressed to me on the subject of the previous Ordinance great emphasis was laid on the announced intention of the Transvaal Government to provide for the identification of holders of certificates of registration under the Ordinance by means of finger-print impressions. Similar representations have reached me from many quarters with regard to the present Act, and I have taken the opportunity afforded by General Botha's presence in this country in connection with the Colonial Conference to discuss the matter with him. I understand that, in view of the strong feeling which has been aroused in connection with this method of identification, which is not expressly provided for in the Act, General Botha will endeavour to provide for the adoption of other methods, which cannot possibly be regarded as degrading by those subject to registration.

5. It appears to me that this would be an opportune concession to Indian sentiment, which should go some way to remove any impression that the Transvaal Government is disposed to act harshly or unsympathetically towards Asiatics whose title to reside in the Colony is admitted.

I have, &c.,
ELGIN.

No. 8.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received June 29, 1907.)

MY LORD, Governor's Office, Johannesburg, June 10, 1907.

WITH reference to your despatch of the 12th April,|| I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of the representations made by the Chinese Minister in London respecting the position of Chinese subjects under the new Asiatic Law Amendment Act 1907.

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* No. 6. † Printed in [Cd. 3251]. ‡ No. 41 in [Cd. 3308] February, 1907.
§ No. 47 in [Cd. 3308]. || No. 3.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 8.

MINISTERS to GOVERNOR.

(Minute, 190.)

Prime Minister's Office, Pretoria, June 1, 1907.

With reference to Minute No. 15/2 of the 3rd ultimo, forwarding a despatch from the Secretary of State on the subject of representations made by the Chinese Minister in London respecting the position of Chinese subjects under the new Asiatic Law Amendment Act 1907, Ministers have the honour to submit to His Excellency the Governor that the Act was not in any way designed to inflict degrading conditions on Chinese residents in the Transvaal, or other persons affected by it, or to add to the disabilities under which they already suffered, but rather to remedy the defects of previous legislation which rendered the full attainment of the objects of the legislation extremely difficult if not impossible. As His Excellency is aware, it is very probable that if the Act had not been passed by the Legislature and approved by His Majesty in its present form great pressure would be brought to bear upon the Government and the Legislature to adopt still stronger measures to cope with the unauthorised immigration of Asiatics into the Transvaal.

Ministers have further to submit that they do not intend to impose by the Regulations made under the Act which will shortly be introduced for the consideration of the Governor-in-Council any personal indignities or any more inconvenience than is absolutely necessary to secure the proper identification of individuals and the protection of the rights acquired by Asiatics lawfully resident in the Transvaal.

LOUIS BOTHA.

No. 9.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9.30 p.m., July 11, 1907.)

TELEGRAM.

[*Answered by No.* 10.]

July 11. B. Ministers desire to bring into force at the earliest possible date Immigration Bill which is now under consideration of Parliament of Transvaal. Act has been drafted on lines of Cape, Natal, and Australian Commonwealth Acts.

It defines a prohibited immigrant to include a person unable to write out and sign in the character of a European language an application (for) permission to enter Colony or such other documents as Immigration Officer may require. I am advised that according to strict letter of clause 39 of Transvaal Constitution Letters Patent 1906 the reference to a European language brings Act within the scope of that clause. Definition of prohibited immigrant further includes any person who, under any law in force at the date of his entering or attempting to enter Colony, would be liable, if found therein, to be removed from or to be ordered to leave Colony whether on conviction of any offence against such law or otherwise in terms of its provisions. Prohibited immigrant will be liable if found in Colony to fine of 100*l*. or imprisonment for six months and to be removed from Colony at discretion of Minister.

Act further prescribes that persons convicted under certain sections of Immorality Law and persons deemed by Minister to be dangerous to peace, order, and good government of Colony, and persons who fail to leave Colony within period prescribed by order issued under any law may be removed from the Colony at discretion of Minister.

In other respects Act is consistent with other Acts named though perhaps more stringent.

To avoid delay which would result from insertion of clause suspending operation of Act till His Majesty's pleasure is signified I have to recommend that you issue telegraphic instructions under clause 39.

Copy of Bill went to you 8th July.—SELBORNE.

No. 10.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 8.5 p.m., July 16, 1907.)

TELEGRAM.

[*Answered by No.* 18.]

July 16. No. 1. Your telegram of 11th July, B.* Experience elsewhere has shown very great importance of this subject, which affects relations of various parts of Empire and of Empire to foreign States and difficulties involved in it. It does not appear to be possible to deal with it by telegraph and I feel that I should have full text of measure as passed by Parliament before advising His Majesty with regard to it.—ELGIN.

No. 11.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received July 27, 1907.)

MY LORD, Government House, Pretoria, July 8, 1907.

I HAVE the honour to acknowledge the receipt of your despatch of the 9th May,† announcing that His Majesty will not be advised to exercise his power of disallowance in respect of the Asiatic Law Amendment Act of 1907, but placing on record the fact that His Majesty's Government do not consider the position of Asiatics lawfully resident in the Transvaal, as settled by this Act, to be satisfactory, and expressing the hope that my Ministers may be able to provide for the identification of holders of certificates of registration under the Ordinance otherwise than by means of finger-print impressions.

2. The Law has now been brought into force with effect from the 1st instant.

3. I enclose, in reply to your despatch, the accompanying copy of a minute which I have received from my Ministers, from which your Lordship will see that they have not been able to discover any satisfactory method of providing for identification other than that of finger-print impressions.

4. In view of what is said in the extract from Mr. E. R. Henry's book, which accompanies my Ministers' Minute, I do not suppose that the Government of India can have raised any objection to the system now being introduced into the Transvaal. A system so widely resorted to in India for the purpose of identifying not only criminals but a great number of other classes of persons of whose identity it is necessary to have a reliable and authentic record, a system in which apparently the people of India contentedly acquiesce, cannot be intolerable when applied to Indians elsewhere.

5. The information given in Mr. Henry's book is new to me, but now that it is laid before me I cannot refrain from expressing surprise that a gentleman of Sir

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* No. 9. † No. 7.

Lepel Griffin's experience in the details of Indian administration should have used such language as is printed on page 40 of the Blue Book [Cd. 3308]. I am not, of course, aware whether Sir Lepel Griffin protested in equally strong language at the time when the system of identification by means of finger-prints was introduced in so many Departments in India.

6. These are, I submit, good grounds for hoping that the system will not really be regarded as degrading by Asiatics lawfully residing in the Transvaal, but it is clear that it will destroy the business of those illicit "permit agents" who have in the past made large profits by organising and facilitating the unlawful ingress of Asiatics into the Transvaal, and their permanent unlawful residence therein.

7. To what an extent this business has been carried on, how great are the profits to be drawn from it, and how serious the consequent risks of corruption, will appear from the "Notes on the illicit ingress of Asiatics into the Transvaal," which form the second enclosure to my Ministers' Minute. It should, of course, be remembered that only those cases of which the Transvaal Government has official cognizance are dealt with in the notes. I have the best reasons for believing that there are many more which have never been brought to light, and I do not think that it is right that subordinate officers of the Government should be constantly exposed to such temptations as are alleged to have been offered by the Indian, M. Lalla (see page [21] of the notes) to Superintendent Vernon and Constable Harris, of the Transvaal Police.

8. I cannot but think that the protests of local Asiatic residents against the new Act must be due in part at least to the lucrative nature of the traffic in illicit immigration, and to the ease with which it has hitherto been carried on.

9. I enclose, for your Lordship's information, a copy of the regulations framed under the Act, as published in the Gazette.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 11.

MINISTERS to GOVERNOR.

(Minute 283.)

Prime Minister's Office, Pretoria, June 30, 1907.

With reference to His Excellency the Governor's Minutes, Transvaal, No. 53/11, of the 1st instant, and unnumbered of the 4th instant, on the subject of the Asiatic Law Amendment Act, 1907, Ministers have the honour to state that after careful consideration of the representations made by the Secretary of State on the subject of the proposal of this Government to adopt the finger impression system in administering the Act, and after investigation of the various other systems of identification that now exist, they have come to the conclusion that there is no alternative but to adopt the finger impression system.

There are four known systems of identification:—

(1) Handwriting and physical peculiarities;
(2) Photography;
(3) The Bertillon system of measurement;
(4) Finger impressions.

The first system is, save in exceptional cases, a most uncertain system, and is particularly inapplicable, as has been found by experience in India and elsewhere, to Asiatics. Its use has been universally discarded.

Photography is also an uncertain system unless periodically repeated at comparatively short intervals. Moreover, it is opposed to the principles of the Mohammedan religion. An attempt made to introduce it in the Transvaal in the year 1902 had to be abandoned because of the strong objection raised to it on religious grounds by the majority of the Indians domiciled in the Colony.

The Bertillon system of measurement of certain bony portions of the human frame, &c., is cumbersome, costly, and expensive, while its application to persons other than criminals would be open to very strong objection, as it is in practice essentially a criminal system.

There remains then only the system of finger impression. Ministers cannot admit that the adoption of this system will expose Asiatics to any degrading or vexatious indignities. It is not a purely criminal system, but is applied in India in all branches of public business, as the annexed extract from the 3rd Edition of Mr. E. R. Henry's book on the "Classification and Uses of Finger Prints," printed by Darling & Son for His Majesty's Stationery Office, shows. It is an easy, cheap, and expeditious system, and its use does not involve the breach of the principles of any religion, so far as Ministers have been able to ascertain.

If the Act is to be rigidly enforced—and His Excellency is aware that the white population will insist on that being done—it is absolutely necessary that the Government should provide some certain means of identification of individuals both in the interests of the white population and in the interests of those Asiatics who are lawfully resident in the Transvaal, for it has been found by experience that impersonation is an exceedingly common practice amongst Asiatics desiring to acquire residence in the Colony. If in any prosecution under the Act where it was necessary to establish the identity of an individual, the evidence adduced failed to establish such identity with absolute certainty to the satisfaction of the Court, owing to defects in the system of identification adopted, the position of the Government would be very difficult.

In this connection Ministers have the honour to forward, for the information of His Excellency, a copy of the "Notes on the Illicit ingress of Asiatics to the Transvaal" prepared by the Registrar of Asiatics.

LOUIS BOTHA.

EXTRACT from "Classification and Uses of Finger Prints," by Mr. E. R. Henry.

Finger prints utilised in many branches of public business.—In India the employment of the new system has not been restricted to the police department, but has been introduced into all branches of public business, being particularly well suited to the requirements of a country where the mass of the people are uneducated, and where false personation is an evil which even the penalties provided by the penal laws are powerless to control. It is believed that, on the death of pensioners, friends or relations have personated them and have continued to draw allowances which should have lapsed with the death of the persons to whom they were originally granted. All military and all civil pensioners are now required to give their finger impressions, and this precaution is effective against fraud. The Courts have to deal with numerous contested cases in which transfers of proprietary or other rights, purporting to have been duly admitted in the presence of witnesses before a Registrar of Deeds, are repudiated, and evidence is adduced on either side, often of the most conflicting and indecisive nature, both parties not hesitating to rely upon suborned testimony. In the registration offices of the Province of Bengal, and now in all the provinces of India, persons who, admitting execution, present documents for registration, are required to authenticate their signature or mark by affixing the impression of their left thumb on both the document and the register kept for the purpose. Should an executant repudiate as not genuine a deed which purports to be a transfer by him of certain rights, the judicial officer can require the person repudiating to give his thumb impression in open Court, and this is compared with the impression on the document and in the register, and can be proved to be either the same or a different impression, and this settles the point at issue. In this way, during recent years, numerous cases of false personation have been detected and prosecuted to conviction, and the deterrent effect has been so marked as to justify the belief that the volume of work which the Courts have to cope with will be sensibly reduced in amount.

In the opium department large advances are made on account to the cultivators through middlemen, the poppy crop being hypothecated as security. If the middleman or cultivator proves dishonest the issue is raised whether particular sums reached the persons they were intended for. Formerly the cultivator could disown his mark or signature, or the middleman could put forward as the cultivator's mark or signature one that had been fraudently made; but as the finger impression of the payee is now required to authenticate acknowledgment of receipt, a check has been introduced the efficacy of which both cultivators and middlemen fully appreciate. The employer who makes advances to labourers, or pays them salaries, or enters into contracts with them, now protects himself by taking their finger prints on the receipt or agreement. All emigrants signing contracts under the Emigration Act are required to give the impression of their left thumb on the contract and on the registers. With large establishments, such as are employed by the Survey of India, this system is used to prevent the re-employment of undesirable persons whose services have been dispensed with. The thumb impressions of employees are taken and registered, and if a particular man is dismissed for misbehaviour, a photozincograph of his impression is sent to all the working parties, which ensures that he cannot again get taken on even by assuming a false name.

Since April, 1899, the system has been adopted by the Director-General of the Post Offices of India, and has been made applicable to all present and future non-gazetted officers, who number many thousands. In the Medical Department of the Government of India, the local medical officer and the Medical Board, when giving certificates, invariably take the thumb impression of the person examined. There is believed to be much false personation at public examinations in India, the candidate who appears in the examination hall not being the person who secured the certificate entitling him to compete. In examinations for employment in one branch of Government service this check has been introduced, and is working excellently, and it will no doubt be extended. In connection with the administration of the rules for preventing the spread of plague and for regulating the pilgrimage of Mussulmans to Mecca, certificates are authenticated by bearing the thumb impression of the persons to whom they are granted.

It would be tedious to enumerate at greater length the many uses to which the system is being put, though as yet its value to insurance offices has not been realised, the difficulty probably being that, owing to the circumstances of the country, bodies are buried or burnt almost as soon as death occurs. There is no doubt that the finger impression of a dead person taken before decomposition sets in would fix his identity in a most convincing way if the deceased had at any previous time been required to give the impression of the same finger. Its value as a means of authenticating testamentary dispositions cannot be over-estimated.

It must be recognised that the introduction of finger impressions in proof or disproof of identity where a person in question is known and accessible, and has given his mark on a previous occasion, is an extraordinarily efficient method of preventing perjury and personation. No objection can be raised on the ground of religion or caste, or rank in society, or sex, so there is no prejudice to be overcome in obtaining it. The Government has been so fully convinced of the effectiveness of this new system, and of the certainty of the results it yields, that the Indian Legislature has passed a special Act amending the Law of Evidence to the extent of declaring relevant the testimony of those who by study have become proficient in finger print decipherment, such testimony not having been admissible under the unamended Law.

NOTES on the Illicit Ingress of Asiatics to the Transvaal.

Indian, Ausjie Jeram, entered the Colony on false permit, sentenced by Resident Magistrate, Barberton, to one month's imprisonment, February 19, 1906.

Indian, Naran Vacha, sentenced at Pretoria to one month's imprisonment for entering the Colony on false permit, February 19, 1906.

On the 29th of May, 1907, an Indian, named Futteh Mahomed, approached my Sikh orderly and asked him for the private address of Mr. Cody, Chief Clerk in this Office. The Sikh, who is an ex-Lancer of the Indian Army, and a reliable man, instructed Futteh to see Mr. Cody in his office, and told that gentleman that he expected the man was about to offer him a bribe. The matter was reported to me at once, and I telephoned to the Deputy Commissioner of Police requesting him to send up a detective. When Futteh entered Mr. Cody's office he offered to pay him £50 if he would procure permits for two boys at Lourenço Marques. This conversation was heard by the detective, who then arrested the Indian. Subsequently Futteh expressed a desire to make a statement, which, after the usual warning, was taken down. He admitted his guilt, and stated that the boys for whom permits were required had already come into the Transvaal, and were residing at Johannesburg. The man was charged before the Assistant Resident Magistrate, Pretoria, on 6th June, 1907, and committed to the Sessions for trial.

Indian, Hari Doolab, convicted at Pretoria, May 7, 1906, of entering Transvaal on false permit, sentenced to pay a fine of £10, or undergo one month's imprisonment, and ordered to leave the Colony within seven days of either alternative.

On the 11th May, 1906, an Indian, named Sewbakas Maharaj, called at the Asiatic Office and asked that steps should be taken to expel his son Chandman Maharaj whom he had previously introduced into the Transvaal without a permit, and who was, he stated, misconducting himself at Germiston, and keeping company with bad characters. Under cross-examination Sewbakas admitted that Chandman was not really his son although he had introduced him as such, and that the true reason for his desiring expulsion was due to the fact that his reputed son was offering a reward of £15 to any Indian who would poison his reputed father. On a search being made for the boy—whose age was about 18—he left the Colony and entered Natal.

On this file is a report by the Registrar of Asiatics to the Assistant Colonial Secretary, dated 17th April, 1906, from which the following extracts are taken:—

> "*Illicit Ingress.*—Two Indians applied for permits from Delagoa Bay, and came up here before authorisation had been issued in their favour, on permits illicitly obtained. On information received the men were arrested and examined at my office. It was found that the permits in their possession had been issued in 1903 at East London and Kimberley respectively, but under cross-examination the men admitted that they had procured their permits at Delagoa Bay. They were tried before the Magistrate at Pretoria, convicted, sentenced to one month's imprisonment, and ordered to leave the Colony. On the person of one of them was found a note-book containing a schedule required for the purpose of schooling an applicant to pass a test in examination. One of our tests in the case of Asiatics claiming they have traded a long time in the Transvaal is to ascertain whether they have learnt any of the languages of their customers—British, Dutch, or Kaffir. The schedule in question furnished a vocabulary of these tongues, a brief description of Johannesburg, the situation of the Indian location, Post Office, Magistrate's Court, and the names of railway stations near Johannesburg, together with full particulars of the permit illicitly obtained. It was stated during the examination of these men that they were only two of a party of 15 who had just arrived from Delagoa Bay under false permits, and that the other 13 had gone to Johannesburg.
>
> "I am now dealing with the case of a Chinese who, in support of his application for a permit produced indisputable documentary proof that a man of his name had resided here before the war; another Chinese maintained that the applicant was returning for employment under him at his store, but before authorisation to return was sent, he appears to have become alarmed, and wrote to say that the real applicant was in China, and had made over his proofs of claim to a friend—the applicant—who had no right to them at all."

Indians, Bhanan and Mancha Daya (minors), ordered by the Magistrate at Barberton to leave the Transvaal for being in the Colony without permits after making false statements regarding their ages. July 18, 1906.

Jeong Shin, a Chinese, made an affidavit at Lourenço Marques on the 30th November, 1905, in support of his application for a permit that he had resided in the Transvaal for five years before and during the late war, and that he left the country in 1902. A Letter of Authorisation to enter the Transvaal and report himself at my office for examination was issued. In the course of that examination it was ascertained that the man had undergone six months' imprisonment with hard labour at Johannesburg during the preceding year, and on further enquiries being made it was found that in September, 1903 (at which time he called himself Ah Wing) he was sentenced to three months' hard labour for contravention of Section 9 of the Peace Preservation Ordinance. Further, in August, 1904 (when he was going under the name of Ah Bu) he underwent six months' imprisonment for inciting Chinese indentured labourers to riot. He also went under the name of Sam Son. In April, 1905, he was sentenced to six months' hard labour, and an appeal against the sentence was dismissed. In November, 1906, he was found to be still in the Colony, and was ordered by the Magistrate at Pretoria to leave it within three weeks. This order he failed to obey. He was arrested on the 3rd June, 1907, for failing to obey the Magistrate's order and released on £20 bail. Bail was estreated, and a warrant has been issued for his arrest.

Indian, Goolab Rooder Desai, arrested at Pretoria for contravention of Section 9, Sub-sections 1 and 2 of the Peace Preservation Ordinance, was discharged, but convicted of attempting to bribe the policeman who arrested him, and sentenced to pay a fine of £10, and undergo 21 days' imprisonment with hard labour. May 21, 1906.

Indian, Abdul Sam (alias Sam Ramasamy), charged at Barberton on August 7th, 1906, for contravention of Peace Preservation Ordinance. Sentenced to one week's imprisonment, and thereafter to leave the Colony.

Indian, Ebrahim Amod Baba. Officer Commanding South African Constabulary, Volksrust, writes April 13, 1906:—

> "The above Indian was caught escorting three Indian boys into the Transvaal on April 8, 1906, and I found on investigation that these boys had arrived at Charlestown, Natal, by the 9.45 a.m. train without permits, and had then started to walk to Volksrust in the company of the above Indian. They crossed the border well away from the town, and had almost succeeded in getting into Volksrust when they were caught. The three boys were ordered over the border by the Assistant Resident Magistrate, Volksrust."

Indian, Pema Morar, charged at Barberton before Assistant Resident Magistrate with having entered the Transvaal on a false permit was sentenced, May 26, 1906, to three months' imprisonment and a fine of £25, or three months' further imprisonment in default of payment.

Indian, Munasami Ujasami, arrested on 27th April, 1906, for contravention of Peace Preservation Ordinance, allowed out on bail of £10. Bail estreated, present whereabouts of Indian unknown.

Indians, Govindrasilo, Sheik Ismail, and Poona Hanji. Deserted from service of Natal Government Railways. Charged before Resident Magistrate with entering Transvaal without permits, and ordered to leave within three days; sent back under escort and charges defrayed by N. G. Railways.

Indian, Ganda Kana, entered the Transvaal under a permit issued in favour of another person, whereabouts unknown.

Indian, Nathoo, entered the Transvaal under a false authorisation. Police unable to trace whereabouts.

Indian, Deva Mitha, entered the Transvaal 20th June under a false permit, whereabouts unknown.

Indian, Hassan Yussuf, charged before Resident Magistrate, Pretoria, with contravention of Sections 2 and 9 of the Peace Preservation Ordinance. Sentenced to fine of £5 or one month's imprisonment, and ordered to leave the Colony within seven days of completion of sentence.

Chinese, Leong Dan San, arrested at Komati Poort for entering Colony on false permit. Brought before Resident Magistrate, Barberton, July 11, 1906, and sentenced to pay a fine of £30 or undergo three months' imprisonment with hard labour.

Indian, Parboo Pema, charged before Resident Magistrate, Volksrust, July 14, 1906, and sentenced to three months' imprisonment for entering the Colony with a false permit.

Indian, Suliman Asmal, convicted at Barberton on June 27, 1906, and sentenced to pay a fine of £30 or undergo three months' hard labour for entering the Transvaal on a permit issued to another person.

Chinese, Ah Cheen, entered Transvaal viâ Komati Poort July 21, 1906, on faith of permit issued to another person, whereabouts unknown.

Indian, Essa Arbi, arrested at Komati Poort for attempting to bribe the non-commissioned officer of the South African Constabulary, who arrested Akookass (see next number), to release his prisoner, was (August 10, 1906) sentenced to pay a fine of £15 or undergo six weeks' hard labour by Resident Magistrate, Barberton.

Indian, Akookass, arrested at Komati Poort on 22nd July, 1906, for attempting to enter the Transvaal on a permit issued in favour of another person. Sentenced to pay a fine of £5 or undergo three weeks' hard labour, and ordered to leave the Colony within three days thereafter. (Resident Magistrate, Barberton.)

Chinese, Ho Tang, entered the Transvaal from Lourenço Marques on a permit belonging to another person; case reported to Commissioner of Police, Johannesburg, who failed to locate the man.

Chinese, Hon Yen, arrested at Komati Poort on July 24, 1906, charged with contravention of Section 9 of Ordinance 5 of 1903. Sentenced to pay a fine of £30 or undergo three months' imprisonment with hard labour, and to leave the Colony within three days from release.

Chinese, Ho Jen, arrested at Komati Poort on July 24, 1906, for contravention of Section 9 of the Peace Preservation Ordinance. Sentenced to pay a fine of £5 or undergo 14 days' hard labour, and ordered to leave the Colony within three days from release from custody.

Indian, Punmooty Jairam, arrested at Komati Poort for contravention of Subsection 3 of Section 9 of the Peace Preservation Ordinance, and sentenced by the Resident Magistrate, Barberton, to pay a fine of £30 or to undergo three months' imprisonment with hard labour, and to leave the Colony at the expiration of the sentence.

Indian, Ahmed Omarji, charged with contravention of Sections 2 and 9 of the Peace Preservation Ordinance; sentenced by Resident Magistrate, Barberton, to pay a fine of £30 or undergo three months' imprisonment with hard labour, and to leave the Colony within seven days of completion of sentence.

Indian, Hoosain Hazari, charged with contravention of Sections 2 and 9 of the Peace Preservation Ordinance, and sentenced by Resident Magistrate, Barberton, to pay a fine of £30 or to undergo three months' imprisonment with hard labour, and to leave the Colony within seven days thereafter.

Indian, Bhaga Fira, arrested at Barberton on August 10, 1906, for contravention of Sections 2 and 9 of the Peace Preservation Ordinance and sentenced to pay a fine of £15 or undergo six weeks' imprisonment with hard labour, and to leave the Colony within seven days.

Indian, Cara (Valli), charged at Barberton and sentenced to pay a fine of £30 or go to prison for three months for contravening Section 9 of the Peace Preservation Ordinance, and to leave the Colony thereafter.

Indian, Heira, charged at Barberton August 9, 1907, with contravening Sections 2 and 9 of the Peace Preservation Ordinance and sentenced by Resident Magistrate to pay a fine of £30 or undergo three months' imprisonment with hard labour.

Indian, Mahomed Pillaer, charged with contravention of Sections 2 and 9 of the Peace Preservation Ordinance, sentenced by Resident Magistrate, Barberton, to pay a fine of £30 or undergo three months' imprisonment with hard labour, and ordered to leave the Colony within seven days thereafter.—August, 1907.

Indian, Sali Moosa, charged with contravention of Sections 2 and 9 of the Peace Preservation Ordinance and sentenced by Resident Magistrate, Barberton, to pay a fine of £30 or undergo three months' imprisonment with hard labour; (2) ordered to leave the Colony within seven days thereafter.—August, 1907.

Indian, Karson, charged at Barberton on November 16, 1906, with contravention of Sections 2 and 9 of Ordinance 5 of 1903. Sentenced to pay a fine of £30 or undergo three months' imprisonment with hard labour. Accused paid the fine and was subsequently ordered to leave the Colony within 48 hours.

Indian, Moonsammy, committed for trial by Resident Magistrate, Standerton, on a charge of attempted murder was found to be without a permit authorising him to reside in the Transvaal. Had been previously sentenced in Bulawayo in 1898 on similar charge to five years' imprisonment. Sentenced to fine of £35 or three months' imprisonment with hard labour.—January 27, 1907.

Indian, Moosa Kaloo, convicted at Barberton, September 28, 1906, for contravention of Sections 2 and 9 of Peace Preservation Ordinance and sentenced to a fine of £30 or three months' imprisonment with hard labour.

Indian, Mahomed Khan, was, on December 14, 1906, sentenced by the Magistrate at Volksrust to one month's imprisonment with hard labour for entering the Transvaal under a permit not issued in his favour.

Indian, Dahyabbhai Shankubhai Desai, arrested at Komati Poort on November 12, 1906, for attempting to bribe South African Constabulary to pass into the Transvaal certain Indians with him who had no permits. Tried at Barberton and sentenced to pay a fine of £50 or undergo six months' hard labour. Accused paid the fine.

Note.—Sergeant McDougall, in charge South African Constabulary, Komati Poort, forwarded a report to the Registrar of Asiatics dated October 19, 1906, in which he stated that the above Indian offered him £2 per head for every Asiatic he would allow him to introduce into the Transvaal without a permit. The Indian jumped into his compartment as the train moved off without being able to finish the conversation.

On the 11th November the sergeant forwarded another report to the Registrar informing him that the Indian had returned on the 10th, and that he had secreted a constable in the Court House to overhear the conversation. The Indian offered the sergeant once more £2 for every Indian he would pass through who was accompanied by him and who was not in the possession of a permit, saying that the sergeant could make from £100 to £150 a month in this way.

When arrested the following day, Dahyabbhai had four sovereigns in his hand which he was handing to the sergeant as a bribe to pass two Indians, named Karsam and Dallap, who were with him on the train.

Indian, Joogi Goola, entered the Transvaal October 11, 1906, viâ Volksrust, on a permit issued in favour of another person, present whereabouts unknown.

Indian, Abdul Gaffer, a minor, aged 17-18, was charged at Volksrust on November 1, 1906, with entering Transvaal without authorisation. He was ordered to leave the Colony before 2 p.m. on the 12th idem, but did not obey order, and was in consequence again brought before Magistrate charged under Section 7 of the Peace Preservation Ordinance. Convicted and sentenced to one month's imprisonment without hard labour and without option of fine. Appealed to the Supreme Court who, however, confirmed the sentence of the Resident Magistrate.

Indian, Ebrahim Moosa, entered the Transvaal on permit issued in favour of another person, October, 1906; whereabouts unknown.

Indian, Moosa Mahomed, entered Transvaal November 3, 1906, on the faith of a permit issued to another person; present whereabouts unknown.

Indian, Dullup, arrested at Komati Poort November 17, 1906, for contravention of Section 2, Ordinance 5 of 1903, for entering the Colony on false permit. Sentenced to pay a fine of £15 or undergo six weeks' hard labour.

His Majesty's Consul-General, Lourenço Marques, writes under date November 22, 1906 :—

"Asiatic minors, Gosai Govind and Lalla Naran. An attempt was made last night by Jinabbhai's reputed partner to take these boys up to the Transvaal, but he was unable at the last moment to obtain tickets for them. I enclose an affidavit which he produced to the booking clerk as a permit and which from the C.F.L.M. stamp on the back has evidently been successfully used in this capacity before."

Indian, Hursan Daya Parag, arrested at Komati Poort for contravention of Sections 2 and 9 of the Peace Preservation Ordinance and sentenced by Resident Magistrate, Barberton, to fine of £15 or undergo six weeks' imprisonment with hard labour.

Indian, Lalla. His Majesty's Consul-General at Lourenço Marques forwarded to me on December 8, 1906, the following sworn affidavit made at his office by a Portuguese detective :—

"I do hereby declare that on the 20th day of November, 1906, an Indian called Lalla offered me the sum of £17 (seventeen pounds) if I would obtain the necessary permits to enable him to take into the Transvaal two Indian boys named Gosai Govini and Lalla Naran."

Indian, Jandad, charged at Komati Poort, December 13, 1906, with entering Transvaal on a permit issued in favour of another person was sentenced to a fine of £30 or to undergo three months' imprisonment with hard labour, failing payment. On expiration of sentence, March 12, 1907, the Indian was ordered by the Magistrate to leave the Colony within 48 hours.

Indian, Mahomed Khan, ditto ditto.

Chinese, Chin Quang, convicted at Barberton January 30, 1907, with entering Transvaal under a permit issued in favour of another person, was sentenced to undergo three months' imprisonment with hard labour and to pay a fine of £30 or undergo three months' additional imprisonment.

Indian, Najan Bawa, charged before the Magistrate at Volksrust February 15, 1907, with entering the Colony under a false permit, was sentenced to pay a fine of £40 or undergo four months' imprisonment with hard labour.

Indian, Goolab Gowan, convicted at Barberton January 16, 1907, with contravention of Peace Preservation Ordinance (Section 9) by entering the Colony under a permit not issued to him, sentenced to three months' imprisonment with hard labour, £30 fine, and, failing payment, a further period of three months' imprisonment.

Indian, Ahomad Suleman, arrested at Komati Poort, January 6, 1907, for being without a permit produced doctor's certificate to the effect that he was about 16 years of age—evidently obtained for the purpose of attempting to gain admittance as a minor. He was convicted by the Assistant-Resident Magistrate, Barberton, on January 8, 1907, and ordered to leave the Colony. At the time of that trial no mention was made of his having ever been granted a permit. On March 16, 1907, the same Indian attempted to enter the Colony on the faith of a permit and certificate of registration he produced in the name of Suliman Ismail. He was recognised, and an examination of the documents showed they had been tampered with; the age had been scratched out and "20 years" substituted for 35 years, the thumb impression rendered illegible, and the Indian's own impressions endorsed thereon. The man was convicted at Barberton on April 15, 1907, and sentenced to six months' imprisonment. It was found that the permit he held was not an original but a duplicate document stolen from this office.

Indian, Ibrahim Ahmed, convicted at Barberton December 3, 1906, for contravention of Sections 2 and 9 of the Peace Preservation Ordinance and sentenced to pay a fine of £30 or undergo three months' hard labour and to leave the Colony within seven days thereafter.

Chinese, Hoi Yung. On January 15, 1907, Sergeant McDougall, Komati Poort, reported that he had detained a Chinese holding a permit, No. 9998, because he suspected that the impression of the original holder had been erased and a fresh impression endorsed over the erasure. On comparison with the duplicate filed in the Registrar's office this was found to be true The man was convicted at Barberton, sentenced on the 30th idem to three months' imprisonment and a fine of £20, or, in default of payment, to a further period of imprisonment of three months. The man went into the witness box in his own defence, and stated, on oath, that he had purchased the permit for £40 at Delagoa Bay, and pleaded ignorance of the law in this respect as an extenuation; *he also stated on oath that eighteen other Chinese had purchased permits at the same time for £40 each.*

Indian, Caji Mahomed Said, charged at Barberton with entering the Transvaal under authorisation issued in favour of another person, was sentenced on January 30, 1907, to three months' imprisonment with hard labour and to pay a fine of £30 or to undergo a further period of three months' imprisonment.

Indian, Mura Kana, Indian, Aboo Valab Soni, and Indian, Keeka Pasaat, charged before the Magistrate at Volksrust February 15, 1907, with entering the Transvaal under false permits. Sentenced to pay fines of £40 each or to undergo four months' imprisonment with hard labour.

Indian, Cassam Moosa, Indian, Omu Din, Indian, Inayathuda, charged before the Assistant-Resident Magistrate at Vereeniging with contravention of the Peace Preservation Ordinance (entering Transvaal under false permits) allowed out on bail of £25 each on March 4, 1907. Bail estreated, as Indians did not stand their trial; present whereabouts unknown.

Indian Fakir Naisy, charged before the Resident Magistrate, Heidelberg, with contravention of Section 2 and Sub-sections 1 and 2 of Section 9 of the Peace Preservation Ordinance. Sentenced to pay a fine of £15 or undergo one month's hard labour and to leave the Colony within four days of either alternative.

Indian, Naran Lala, convicted at Volksrust March 7, 1907, with entering the Transvaal under a permit issued in favour of another person. Sentenced to pay a fine of £50 or to undergo five months' imprisonment with hard labour.

Indian, Ganda Fakir, convicted at Volksrust with contravention of Section 9 of the Peace Preservation Ordinance and sentenced to pay a fine of £50 or undergo five months' imprisonment with hard labour.

Indian, Deva Rugga, ditto ditto.
Indian, Bheeka Morar, ditto ditto.
Indian, Mukhan Powrie, ditto ditto.

Indian, Sheik Amod Afundi, charged at Barberton with contravention of the Peace Preservation Ordinance by entering the Colony under a permit issued in favour of another person. Sentenced March 25, 1907, to three months' imprisonment, £30 fine, or, failing payment thereof, to a further term of three months' imprisonment.

Chinese, Ho Kee, detained at Volksrust on suspicion of tampering with the permit he presented, attempted to bribe the South African constable who interrogated him by offering £3 to allow him to proceed. Was arrested and convicted of contravention of Peace Preservation Ordinance by entering Transvaal on a permit issued in favour of another person, and of bribery. Sentence: five months' imprisonment with hard labour and £50 fine.

Chinese, Chung Lee, was brought before the Magistrate at Volksrust on a charge of entering the Transvaal on a permit not issued to him. Finger impression expert of the Criminal Investigation Department stated on oath that the single thumb impression on the document held by the accused was not identical with the impression of the man's thumb. The Magistrate, however, discharged the prisoner as he did not consider the evidence sufficient. March 25, 1907.

Indian, Solomon. Coast Agent at Durban writes, March 20, 1907:—

> "Indian, Solomon, accompanied the applicant and offered to remunerate me for services rendered."

Indian, Gulam Hoosim (alias Mahomed). This Indian, who had been ordered to leave the Colony in June by the Resident Magistrate at Germiston, was convicted on the 22nd March, 1907, for disobeying the order, and was sentenced to six weeks' imprisonment with hard labour and to leave the Colony within four days from expiration of sentence.

Indian, Morar Lala. This applicant for a permit to reside in the Transvaal claimed to have resided in the Transvaal 11 months before the war. The application was referred to the police for enquiry, and the Deputy Commissioner of Police, Pretoria, writes, under date May 14, 1907, in regard to one of the references furnished by the man:—

> "Indian, Bremjee Bhika, was also interviewed on the 26th ultimo. He was closely cross-questioned and contradicted himself frequently. He then began to cry and subsequently made a statement to the effect that the applicant's name was Jina Lala and that he has only known him for the last five months. He further stated that the applicant's brother Morar Lala worked for him before the late war and that he subsequently returned to India where he died."

Indian, Narayan, convicted by the Assistant Resident Magistrate, Volksrust, for contravention of Police Preservation Ordinance by entering the Transvaal under a permit issued in favour of another person. The Indian admitted that he had bought a permit and registration certificate and was sentenced to pay a fine of £50 or undergo five months' imprisonment. April 19, 1907.

On the 14th March, 1907, four Indians named Hurkha Dyah, Jewa Meetha, Jeewan Gowan, and Abdol Rahman entered the Transvaal from Delagoa Bay in possession of permits, the impressions upon which agreed with the impressions of the holders. The usual identification slips were forwarded for examination to this office and it was then found that the duplicates of the respective permits and certificates of registration had been extracted from the records of this office. Enquiries have been made and certain information adduced to the effect that these duplicate documents were stolen from the office and sold to the holders for £20 each. The thumb impressions had no doubt been erased and replaced by fresh impressions. The matter is at the present time the subject of careful investigation and it is expected that at least some of the persons concerned may be traced.

Indians, Dullabh and Jewan Govan, were charged on the 28th of May, 1907, before the Magistrate at Pretoria for contravention of the Peace Preservation Ordinance. They pleaded guilty and were ordered to leave the Colony. These Indians had come in in possession of the duplicates of certain permits which had been stolen from my office. They admitted having bought the documents at Lourenço Marques for £22 each and stated that they had been sold to them by an Indian named Ackooji and a white man. Ackooji has been arrested and charged with theft. Owing to the fact that the documents are not actually permits, but are duplicates of permits, it has been found impossible to make him subject to the penalties provided under Section 9 of the Peace Preservation Ordinance.

Indian, Lalla Bawa, was charged at Johannesburg on the 4th June, 1907, with: (1) residing in the Transvaal without a permit; (2) offering and putting off to Superintendent Vernon, of the Transvaal Town Police, with intent to defraud, two forged documents, namely, a permit purporting to authorise him to enter the Transvaal, and a document purporting to be a certificate of registration in his favour. The accused, after his arrest, made a voluntary statement that he had purchased the permit from another Indian for £30 and that he had been in possession of it for five months, but he subsequently, at his trial, stated on oath that this statement was incorrect. The accused was found guilty of entering and residing in the Transvaal without a permit and was ordered to leave the Colony within seven days.

Indian, Kara Heera (minor), was charged at Johannesburg with entering the Transvaal on a false permit. The accused admitted that he paid a man named Kanje Morar £30 for the document. The Magistrate considered that the accused acted in ignorance in buying the permit and ordered him to leave the Colony within seven days. June 5, 1907.

Indian, Cheeba Mowji, was charged at Johannesburg with having obtained a permit to enter and reside in the Transvaal by improper means, namely, by purchasing it for £30 from another Indian, and, further, with having uttered a forged certificate purporting to show that he had been registered under Law 3 of 1885, without being so registered. He was found guilty on the first count and ordered to leave the Colony within seven days. June 5, 1907.

The following is an extract from a letter of an Indian to another Indian, obtained by the police when making an arrest:—

> "Johannesburg, April 1, 1907. With salam I beg to state that I have found by the visit of one man that from 7 to 10 Hindoos require registration certificates, who are ready to pay £15 (fifteen pounds) and they are here; so I am asking you if in case you can do that work, it is one source of earning."

Chinese, Vong Len. This Chinaman applied for a permit from Johannesburg; in support of his application he produced an old registration of the late South African Republic, on the reverse of which there were, in Chinese characters, some notes, evidently intended to school the applicant in passing an examination.

Indian, Magi Gossain, applied in person at Pretoria, October 13, 1906, for a registration certificate; produced permit No. 5249, which was taken from him for purpose of comparison with duplicate filed in this office. The Indian evidently got frightened and left the office. It was ascertained that the document had been tampered with.

Indian, Saig Amoed, applied on March 27, 1907, for a permit to reside in the Transvaal. The police investigated his claims and reported that the references did not appear to know applicant well, and that from information received Superintendent Vernon, of the Transvaal Town Police, had reason to believe that one of the references offered £75 to his informant to be a reference for three Indians who were desirous of procuring permits to reside in the Transvaal, of whom Saig Amoed was one.

An Indian named M. Lalla was charged at Johannesburg on the 27th May, 1907, with offering a bribe to Superintendent Vernon, of the Transvaal Town Police —who is an Inspector of Permits—of £8 for every Indian whom he would allow to reside in Johannesburg in possession of a permit not issued by lawful authority; he stated that Superintendent Vernon could make £400 per mensem by entering into this arrangement, and that he was prepared to pay a further sum to a constable named Harris who assists the Superintendent, and who was to make £200 per mensem. The accused has been committed to the sessions for trial.

Chinese, Leo Jardine (alias Leon Kwon) was charged at Johannesburg on the 8th June, 1907, with residing in the Transvaal on the faith of a permit issued in favour of another person. Evidence was given by a finger impression expert that the impression on the permit did not agree with the accused's own thumb impression. The Magistrate discharged the man on the grounds that the evidence was insufficient.

Indian, Ravjee Shiba, was charged at Heidelberg on the 3rd April, 1906, for being in the Transvaal without a permit. The accused produced a permit, but a finger impression expert gave evidence that the impression on it did not correspond with the man's right thumb impression. The Magistrate, however, did not consider the case proved and discharged the accused.

M. Chamney,
Registrar of Asiatics.

Colonial Secretary's Office,
Pretoria, June 24, 1907.

Enclosure 2 in No. 11.

THE TRANSVAAL GOVERNMENT GAZETTE, 28TH JUNE, 1907.

Vol. XXI.] GOVERNMENT NOTICE, No. 716 OF 1907. [No. 468

Asiatic Law Amendment Act, 1907.—Regulations.

It is hereby notified for general information that His Excellency the Governor in Council has been pleased to make the following Regulations under Section *eighteen* of the Asiatic Law Amendment Act No. 2 of 1907.

W. H. MOOR,
Assistant Colonial Secretary.

Colonial Secretary's Office,
Pretoria, 28th June, 1907.

REGULATIONS MADE UNDER SECTION 18 OF THE ASIATIC LAW AMENDMENT ACT OF 1907.

1. In these Regulations, unless inconsistent with the context:—

"Act" shall mean the Asiatic Law Amendment Act, 1907;

"adult" shall mean a male Asiatic of the age of 16 years or over;

"applicant" shall mean any person who makes application for registration on his own behalf, or any person on whose behalf application for registration is made by his guardian;

"application for registration" shall mean an application to be placed on the register of Asiatics, made in such manner and form and accompanied by the supplying of such particulars and the furnishing of such means of identification as are required by Regulation No. 3;

"area" shall mean a Magisterial District, or such portion thereof as the Colonial Secretary may appoint by notice in the *Gazette*, under Sub-Section (1) of Section *four* of the Act;

"Asiatic" shall mean any such male person as is described in Article *one* of Law No. 3 of 1885, not being a Malay born and resident in any British Colony or possession in South Africa, nor a person introduced into the Colony under the Labour Importation Ordinance, 1904, and not being an officer in the Chinese Consular Service;

"certificate of registration" shall mean a certificate of registration issued under Sub-Section (1) of Section *three* of the Act;

"guardian" shall mean the parent of an Asiatic under the age of sixteen or any other person under whose care or control such Asiatic is living for the time being or failing any such person the employer of such Asiatic;

"lawful holder" as used in relation to any certificate of registration shall mean the person whose registration is thereby certified;

"minor" shall mean a male Asiatic over the age of 8 and under the age of 16 years;

"police force" shall mean a police force lawfully established in this Colony;

"police officer" shall mean any member of a police force;

"registrar" shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"Resident Magistrate" shall include an Assistant Resident Magistrate.

2. The form of the register of Asiatics shall be that set forth in Schedule "A" hereto.

3. The form of application for registration shall be:—

(i.) for an adult applicant the form set forth in Schedule "B" hereto;
(ii.) for a minor applicant the form set forth in Schedule "C" hereto.

4. (*a*) Every adult making application for registration on his own behalf shall appear before such person as the Colonial Secretary may by notice in the *Gazette* appoint for the area in which such applicant is resident and shall furnish such

person with the particulars required by the form of application set forth in Schedule "B" hereto, and shall produce and surrender to such person:—

(1) any permit to enter and reside in the Transvaal issued to him under the provisions of the Indemnity and Peace Preservation Ordinance of 1902, or any amendment thereof;
(2) any certificate of registration or receipts for payment of the fee prescribed for registration under the provisions of Law No. 3 of 1885 as subsequently amended;
(3) any other documents in his possession which he may desire to produce in support of his application for registration.

(*b*) Every guardian making application for registration on behalf of a minor shall appear before such person as aforesaid with such minor, and shall furnish such person with the particulars regarding himself and such minor as are required by the form set forth in Schedule "C" hereto, and shall produce and surrender to such person such documents relating to such minor as are in the preceding sub-section described.

(*c*) Every application for registration shall be made at such place and before such date as the Colonial Secretary may for any area prescribe by notice in the *Gazette.*

(*d*) Every person appointed to receive applications for registration as aforesaid shall, immediately the form of application in respect of any applicant is completed, issue to the applicant or guardian a written acknowledgment under his hand of the receipt of the application for registration and of the documents produced and surrendered in support of such application. Such acknowledgment shall be in duplicate in the form set forth in Schedule "D" hereto, and the duplicate copy thereof shall forthwith be transmitted by such person to the Registrar with the form of application and any documents produced in support thereof.

5. If, acting in accordance with Sub-Section (2) of Section *five* of the Act, the Registrar refuses to register any adult, the notice of refusal sent to the applicant in accordance with such sub-section and the copy sent to the Resident Magistrate for the purpose of being affixed on the principal door of the Magistrate's Office, shall be in the form set forth in Schedule "E" hereto.

6. The Certificate of Registration shall be in the form set forth in Schedule "F" hereto.

7. Every adult required by a police officer or by any person duly authorised thereto by the Colonial Secretary to produce the Certificate of Registration of which he is the lawful holder, shall, in addition to producing such certificate, supply on the demand of such police officer or other person aforesaid the following particulars:—

(1) his name in full;
(2) his present residence;
(3) his residence at the date he made application for registration;
(4) his age;

and shall furnish to and in the presence of such police officer or other person aforesaid:—

(1) a specimen of his signature, if he is able to write;
(2) impressions of his thumbs or of his thumbs and his fingers.

8. Every guardian of a minor required by such police officer or other person aforesaid to produce the certificate of registration of which such minor is the lawful holder, shall, in addition to producing such certificate, supply on such demand as aforesaid the following particulars:—

(1) his own name in full;
(2) his present residence;
(3) the name in full of the person who was guardian of the minor at the date on which application was made for a certificate of registration on behalf of such minor and the residence of such person at such date;
(4) the age of such minor;

and shall furnish to and in the presence of such police officer or other person aforesaid, the impressions of the thumbs of such minor or of the thumbs and the fingers.

9. Every guardian of Asiatic children under the age of 8 years shall on making application for a certificate of registration supply the following particulars regarding all such children:—

(1) their full names;
(2) their respective ages;
(3) the relationship of each to the guardian;
(4) the birthplace of each;
(5) the date on which each entered the Transvaal, if born elsewhere.

10. Any Asiatic applying for the renewal of the certificate of registration of which he, or a minor of whom he is the guardian, was the lawful holder, and which has been lost or destroyed, shall supply to the Registrar the following particulars:—

(1) the number of such registration certificate;
(2) his full name;
(3) his present residence;
(4) the full name and the age of the minor (if the application is made by a guardian on behalf of a minor);

and shall furnish to and in the presence of the Registrar, or such other person as the Registrar may for the purpose appoint:—

(1) impressions of his thumbs and fingers; or
(2) if the application is made by a guardian on behalf of a minor, the number of his own registration certificate, impression of his own right thumb, and the impressions of the thumbs and fingers of such minor.

11. Every Asiatic applying on his own behalf for any trading licence issued under the Revenue Licences Ordinance, 1905, or any amendment thereof, or under any bye-law in force in a Municipality shall, in addition to producing to the person appointed to issue such licence the certificate of registration of which he is the lawful holder, and furnish to and in the presence of such person impressions of all or such of his thumbs or fingers as such person may require.

12. Every Asiatic applying on behalf of another Asiatic, who is temporarily absent from the Transvaal, for such trading licence as aforesaid shall supply to the person appointed to issue such licence:—

(1) his own certificate of registration;
(2) the full name of the Asiatic on whose behalf the application is made:
(3) the present residence of such Asiatic;
(4) the power of attorney or other authority under which he is authorised to apply for such licence or to carry on the trade of the absentee, and such power or other authority shall bear a clear impression of the right thumb of such absentee;

and shall furnish to and in the presence of such person, if so required, the impression of his own right thumb.

13. The permit to enter and remain in the Colony for a limited period mentioned in Section *seventeen* of the Act shall be in the form set forth in Schedule "G" hereto.

SCHEDULE "A."

Register of Asiatics.

Registration Certificate No.	Date of Issue.	Name in Full.	Race.	Caste or Sect.	Particulars of Family residing in the Transvaal.				Classification.	Duplicate Certificate Issued on.	Remarks.
					Names of Wives.	Sons or Male Wards under eight years.		Relationship to Guardian.			
						Names.	Age.				
1.											

SCHEDULE "B."

FACE.]

Application made for registration of an Asiatic Adult.

Name in full...Race.......................Caste or Sect...........................
Age............ Height.................. Residence......................................Occupation.......................
Physical Description ....
....
Place of birth...Date of first arrival in the Transvaal..........................
Where resident on 31st May, 1902..Father's name...................................
Mother's name.......................... Wife's name..........................Residing at.......................................

SONS AND MALE WARDS UNDER THE AGE OF 8 YEARS.

Name.	Age.	Residence.	Relationship to Guardian.

Signature of applicant..
Signature of person taking application..................................
Date ....Office..

BACK.]

Name......................................

RIGHT HAND IMPRESSIONS.

Thumb.	Index.	Middle.	Ring.	Little.

LEFT HAND IMPRESSIONS.

Thumb.	Index.	Middle.	Ring.	Little.

SIMULTANEOUS IMPRESSIONS.

Left Hand —The four fingers.	Right Hand—The four fingers.

Impressions of Adult taken by.......................................Date......................................

SCHEDULE "C."

FACE.]

Application made for registration on behalf of an Asiatic Minor.

PARTICULARS OF GUARDIAN.

Name in full.. Race............... Residence.......................................
Relation of Guardian to Minor.. No. of Certificate.................................

PARTICULARS OF MINOR.

Name in full.. Race..............Caste or Sect...............................
Age................ Residence.. Occupation...............................
Where resident on 31st May, 1902............................... Father's name..
Mother's name....................................Physical Description..
....
Place of birth... Date of arrival in Transvaal...................................

Right thumb
impression
of Guardian.

Signature of Guardian ....
Signature of Minor ....
Signature of person taking application..........................
Office ....
Date ....

BACK.]

Name ....

RIGHT HAND IMPRESSIONS.

Thumb.	Index.	Middle.	Ring.	Little.

LEFT HAND IMPRESSIONS.

Thumb.	Index.	Middle.	Ring.	Little.

SIMULTANEOUS IMPRESSIONS.

Left Hand.—The four fingers.	Right Hand—The four fingers.

Impressions of Minor taken by ....Date ....

SCHEDULE "D."

Acknowledgment of Receipt of Application.

..............................190......

To

....
....
....

I have the honour to acknowledge receipt of the application for registration under the Asiatic Law Amendment Act, 1907, made by you on behalf of.......................................and the documents produced in support of such application as described below.

Signature ....
Office ....
Description of documents :—

SCHEDULE "E."

Notice of Refusal of Application.

..................................190......

To

....

....

....

Whereas you on the.........day of...................at...........................made application to be placed on the register of Asiatics lawfully resident in the Transvaal;

And whereas after due consideration of such application it appears to me that you are not lawfully resident in the Transvaal;

You are hereby notified that I refuse to register you as being lawfully resident in the Transvaal, and direct you in terms of Sub-Section (2) of Section *five* of the Asiatic Law Amendment Act, 1907, to appear before the.......................Resident Magistrate, at...........................on the.........day of...........................190... at 10 o'clock in the forenoon, to show cause why you should not be ordered to leave this Colony.

Signature...........................

Registrar of Asiatics.

SCHEDULE "F."

Certificate of Registration.

Name in full..

Race..................................Age.........Height...........................Description...........................

....

Registrar of Asiatics.

Right thumb impression.

Date of Issue...

Holder's Signature ....

No alterations or endorsements are to be made on the face of this Certificate except by the Registrar of Asiatics.

SCHEDULE "G."

Temporary Permit.

Permission is hereby granted to.............................whose description is given below, to enter and reside in the Transvaal for a period of.......................commencing from the....................

Description.

Race.......................Caste or Sect.....................Place of birth.....................Age.........Height.........

Residence...............Town or place in Transvaal to which proceeding...............Physical description

....

Signature ....

Right thumb impression.

Signature.................................

Registrar of Asiatics.

Impression taken by.. At..

Date...

No. 12.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received 1.9 p.m., July 31, 1907.)

TELEGRAM.

[*Answered by No.* 14.]

July 31. A. Ministers ask whether Reuter's report of reply given on Monday by Under Secretary of State to questions asked in Parliament by Sir William Bull about identification of Asiatics by means of finger prints is correct; if so, whether it may be officially published here.—HILDYARD.

No. 13.

THE GOVERNOR OF THE CAPE OF GOOD HOPE to THE SECRETARY OF STATE.

(Received 4.3 p.m., July 31, 1907.)

TELEGRAM.

[*Answered by No.* 15.]

July 31. No. 1. At request of British Indian community I forward following addressed to Private Secretary to His Majesty the King:—

> *Begins*: Indian community Cape view with deepest concern decision of Colonial Minister in reference to Transvaal Ordinance as communicated by cable. They humbly approach His Most Gracious Majesty and deferentially state that the enforcement of such severe measure will in its after consequences be a violence to feelings of cultured Indians, an outrage against their cherished ideals, and an infringement of all they hold most dear in life. It will put all our people to shame in the eyes of all who respect us, white and black. In the name of Heaven, and by all the honoured traditions of God-fearing and justice-loving England, we beg earnestly to appeal to His Majesty to save Transvaal Indians from humiliation and degradation and we earnestly supplicate our beloved Emperor to be pleased, by a revocation of this odious law, to confirm His gracious words, so full of hope and meaning to us, as conveyed on the occasion of the Delhi Durbar: "My regard for their liberty, my respect for their dignity and their right, my interest in their advancement, my devotion to their welfare, which are the supreme aim and object of my rule." We beg to convey an assurance of our continued devotion and loyalty to the throne. *Ends.* —HELY-HUTCHINSON.

No. 14.

THE SECRETARY OF STATE to THE DEPUTY GOVERNOR.

(Sent 3.15 p.m., August 1, 1907.)

TELEGRAM.

August 1. No. 3. Your telegram 31st July, A.* Following are terms of reply of Under Secretary of State to Sir William Bull's question inquiring in what respects the Regulations published in the "Gazette" of 28th June differed from those appended to the original disallowed Ordinance, and may be published:—

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* No. 12.

> No Regulations were issued under the Ordinance of 1906, but the Transvaal Government had announced their intention of adopting finger-print impressions as the means of identification. The Transvaal Ministers now state that after careful consideration of the representations made by the Secretary of State and after investigation of the various other systems of identification that now exist, they have come to the conclusion that there is no alternative but to adopt the finger-impression system; they state that they cannot admit that the adoption of this system will expose Asiatics to any degrading or vexatious indignities; that it is not a purely criminal system, but is applied in India in all branches of public business; that it is an easy, cheap, and expeditious system and its use does not involve the breach of the principles of any religion, so far as they have been able to ascertain; and that it is absolutely necessary that the Government should adopt some certain means of identification which this system provides.
>
> Whilst the Secretary of State regrets that the Transvaal Ministers have not found themselves able to make a concession to local Indian sentiment in this matter, which is largely based upon the fact that Asiatics will receive differential treatment in this respect, he does not regard this highly scientific method of identification as being objectionable in itself, and he does not feel that he is able, in face of the explanations given by the Transvaal Ministers, to press them further to reconsider their decision.—ELGIN.

No. 15.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE OF GOOD HOPE.

SIR, Downing Street, August 10, 1907.

I HAVE the honour to acknowledge the receipt of your telegram, No. 1, of the 31st ultimo,* forwarding, at the request of the British Indian community an address on the subject of the Transvaal Asiatic Law Amendment Act for submission to His Majesty the King.

2. I have laid your telegram before His Majesty, who has commanded me to request you to reply to the British Indian community in the following terms:—

3. The Act in question, which was passed by a unanimous vote of the Transvaal Legislature, has formed the subject of prolonged correspondence between the Secretary of State and the Transvaal Government: the Secretary of State has not felt himself able to advise His Majesty to disallow it; and the law is now in operation.

4. The main objection against the Act which has been urged on behalf of the British Indians is based upon the provision for identification by means of finger-print impressions. The Transvaal Ministers have informed the Secretary of State that after a careful consideration of the representations made by him, and after an investigation of the various other systems of identification that now exist, they have come to the conclusion that there is no alternative but to adopt the finger-print impression system. They cannot admit that the adoption of this system will expose Asiatics to any degrading or vexatious indignities. They point out that it is not a purely criminal system, and that it is in actual use in India in many branches of public business; that it is an easy, cheap and expeditious system, whose use does not, so far as they have been able to ascertain, involve the breach of the principles of any religion; and that it is absolutely necessary that the Government should adopt the means of identification which the system provides.

5. The Secretary of State has represented to His Majesty that, while he regrets that the Transvaal Ministers have not found themselves able to make a

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* No. 13.

concession to local Indian sentiment in this matter, he does not regard this highly scientific method of identification as being in itself objectionable, and he does not feel that he is able, in face of the explanations given by the Transvaal Ministers, to press them further to reconsider their decision.

6. His Majesty cordially appreciates the assurance of the devotion and loyalty of his Indian subjects, whose welfare will always be an object of earnest solicitude to him; but for the reasons explained above, he is in this instance unable to accede to their prayer.

I have, &c.,
ELGIN.

No. 16.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 11.45 a.m., August 16, 1907.)

[*Answered by No.* 19.]

Telegram.

August 16. No. 1. Press telegrams state that British Indian community have generally refused to take action required by Asiatic Law Amendment Act. It would be useful if I could be kept informed as to developments in this matter and as to any action which your Ministers may think proper to take in pursuance of Act.—Elgin.

No. 17.

The SECRETARY OF STATE to the GOVERNOR.

[*Answered by No.* 25.]

My Lord,

Downing Street, August 17, 1907.

I have the honour to transmit to you the accompanying copy of a question asked in the House of Commons by Mr. Harold Cox on the subject of the position of British Indians in the Transvaal, together with a copy of Mr. Churchill's reply.

2. I would ask you to draw the attention of your Ministers to paragraph 4 of my despatch of the 21st of December, 1906 (printed at page 60 of [Cd. 3308]), and to request them to consider the question of granting British Indians the right to acquire property in the business premises which they occupy outside Asiatic locations. I share the opinion of my predecessor that this is a right which ought to be conceded to them.

3. I am, of course, aware that they already enjoy the right to own property within locations.

I have, &c.,
ELGIN.

Enclosure in No. 17.

House of Commons.

August 8, 1907.

Mr. Harold Cox asked the Under Secretary of State for the Colonies whether "His Majesty's Indian subjects resident in the Transvaal are still denied the right to hold fixed property; and whether, under the new Registration Act, law-abiding educated Indians will be compelled to carry passes, which they may be called upon by any policeman at any time to produce."

Mr. J. A. Pease (for Mr. Churchill) in reply said: "The answer to the first part of the question is in the affirmative; under the Asiatic Law Amendment Act holders of registration certificates under that Act are required to produce them to any policeman on demand."

No. 18.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received September 28, 1907.)

[*Answered by No.* 36.]

MY LORD, Governor's Office, Johannesburg, September 9, 1907.

WITH reference to your telegram of the 16th July, No. 1,* on the subject of a Bill to place restriction on immigration into this Colony, to provide for the removal therefrom of prohibited immigrants and other persons, and to establish and maintain an Immigration Department, I have the honour to inform you that this Bill received the assent of Lord Selborne on the 15th August, 1907.

2. Clause 16 of the Bill, of which I enclose a copy, suspends its operation until it has been proclaimed in the "Gazette" that it is His Majesty's pleasure not to disallow the same, and I now forward a report by the Attorney-General of the Transvaal, in which, after discussing the provisions of the Bill, he expresses his opinion that it is a Bill as to which it should be His Majesty's pleasure not to exercise his powers of disallowance.

3. My Ministers desire that this Bill should be brought into force at the earliest possible date, and I should be glad, therefore, if His Majesty's pleasure could be notified to me by telegraph.

4. Copies of the Bill referred to, duly certified and sealed, will be forwarded by next mail.

I have, &c.,
HENRY HILDYARD,
Deputy Governor.

Enclosure 1 in No. 18.

Act No. 15 of 1907.]

AN ACT to place restrictions on Immigration into this Colony to provide for the removal therefrom of prohibited immigrants and other persons and to establish and maintain an Immigration Department.

(Assented to 15th August, 1907.)

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of the Transvaal as follows:—

Repeal of Ordinance No. 5 of 1903.

1. The Peace Preservation Ordinance 1903 shall be and is hereby repealed; provided that no such repeal shall affect or abridge any powers or jurisdiction by the Asiatic Law Amendment Act 1907 conferred for the purpose of carrying out such Act; but the said Ordinance shall for all the purposes of such Act be deemed to remain of full force and effect.

Interpretation of terms.

2. In this Act and in any regulation made thereunder unless inconsistent with the context;

"department" shall mean the Immigration Department established and maintained under the provisions of this Act;

"Governor" shall mean the officer for the time being administering the government of this Colony acting by and with the advice of the Executive Council;

"imprisonment" shall mean imprisonment with or without hard labour as the court sentencing an offender to imprisonment may direct;

"magistrate" shall include a resident magistrate and an assistant resident magistrate of any district of the Colony;

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* No. 10.

"Minister" shall mean the Colonial Secretary or such other Minister to whom the Governor may from time to time assign the carrying out of this Act;

"minor" shall mean any person under the age of sixteen years;

"police officer" shall mean any member of a police force lawfully established in this Colony;

"prohibited immigrant" shall mean and include any of the following classes of persons desiring to enter or entering this Colony after the date of the taking effect of this Act:

(1) any person who when asked whether within or outside this Colony by a duly authorized officer shall be unable through deficient education to write out (from dictation or otherwise) and sign in the characters of an European language an application for permission to enter this Colony or such other document as such officer may require; provided that for the purposes of this sub-section Yiddish shall be accepted as an European language; provided further that

(*a*) if the Minister publish a notice in the *Gazette* that arrangements have been made with the government of any country for regulating the admission to this Colony of the subjects or citizens of such country such subjects or citizens shall not while such notice is in force be required to comply with the provisions of this sub-section;

(*b*) the Minister shall not issue any such notice unless such arrangements have been sanctioned by resolution of both Houses of Parliament;

(*c*) any such notice shall cease to have effect as soon as it is cancelled by further notice of the Minister in the *Gazette*;

(2) any person who has not in his possession or at his disposal means to support himself for a reasonable time within this Colony or who is likely to become a public charge if he were allowed to enter therein;

(3) any prostitute or person living on the earnings of prostitution or procuring women for immoral purposes;

(4) any person who at the date of his entering or attempting to enter this Colony is subject or would if he entered this Colony be subject to the provisions of any law in force at such date which might render him liable either at such date or thereafter if found therein to be removed from or to be ordered to leave this Colony whether on conviction of an offence against such law or for failure to comply with its provisions or otherwise in accordance with its provisions; provided that such conviction be not the result of the commission by such person elsewhere than in this Colony of an offence for which he has received a free pardon;

(5) any person who is a lunatic within the meaning of the Lunacy Proclamation 1902 or any amendment thereof;

(6) any person who is a leper or is suffering from such infectious or contagious disease of a loathsome or dangerous character as may from time to time be prescribed by regulation;

(7) any person who owing to information officially received by the Minister from any Secretary of State or from a member of any colonial government (whether British or foreign) or through diplomatic channels from an officer of any foreign state is deemed by the Minister to be an undesirable;

(8) any person who the Minister has reasonable grounds for believing would be dangerous to the peace order and good government of this Colony if he entered therein;

but shall not include

(*a*) members of His Majesty's regular forces;

(*b*) the officers and crew of any public ship of a foreign state;

(*c*) any person who is duly accredited to this Colony by or under the authority of His Majesty or of the government of a foreign state together with his wife family and servants;

(*d*) any person who has served in any of His Majesty's volunteer forces in South Africa and has received a good discharge and who does not come within the scope of sub-sections (3) (4) (5) (6) (7) or (8) of the definition of "prohibited immigrant";

(*e*) the wife or minor child of any person who is not a "prohibited immigrant";

(*f*) any European person who has been at any time lawfully resident within this Colony and who has not under the provisions of any law been removed from or ordered to leave this Colony;

(*g*) any Asiatic who is eligible for or has obtained a certificate of registration under the Asiatic Law Amendment Act 1907 and who does not come within the scope of sub-sections (3) (4) (5) (6) (7) or (8) of the definition of "prohibited immigrant";

(*h*) descendants of the aboriginal races of Africa south of the Equator who do not come within the scope of sub-sections (3) (4) (5) (6) (7) or (8) of the definition of "prohibited immigrant";

(*i*) European persons who are agricultural or domestic servants skilled artizans mechanics workmen or miners who are able to produce a certificate signed by the Agent-General of this Colony in England or by an officer in England or elsewhere appointed for the purpose by the Governor to the effect that the person named therein has been engaged to serve immediately on arrival in this Colony an employer therein of repute at an adequate remuneration and for a reasonable period of time; provided that such persons do not come within the scope of any sub-section of the definition of "prohibited immigrant" other than sub-section (2).

"regulation" shall mean any regulation made under section *fifteen* of this Act.

Establishment functions and officers of the Immigration Department.

3. (1) The Governor may establish and maintain out of moneys voted by Parliament for the purpose a department to be known as the "Immigration Department" which shall be under the control of the Minister and in charge of such officer as he may from time to time appoint.

(2) The function of the department shall be the performance of all work whether within or outside this Colony necessary for or incidental to the prevention of the entrance into the Colony of prohibited immigrants or their removal therefrom and the carrying out of any powers or duties that may be specially conferred or imposed on it by this Act or by regulation.

(3) The Governor may from time to time appoint and remove such officers as he may think necessary or expedient to assist in the administration of the department who shall have such powers and perform such duties within or outside this Colony as may be conferred upon them by this Act or by regulation.

Agreements with governments of neighbouring colonies for the carrying out of Act.

4. The Governor may from time to time enter into agreement with the government of any colony or territory in South Africa for the doing of such acts or things as are necessary or expedient for the carrying out of the objects and purposes of this Act.

Penalties for prohibited immigration.

5. Every prohibited immigrant entering into or found within this Colony shall be guilty of an offence and shall be liable on conviction

(1) to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment; and

(2) to be removed at any time from the Colony by warrant under the hand of the Minister and pending such removal to be detained in such custody as may by regulation be prescribed; provided that

(*a*) such prohibited immigrant may be discharged from such detention if he find two approved sureties in this Colony (each in the sum of one hundred pounds) for his leaving the Colony within one month;

(*b*) if such prohibited immigrant be sentenced to imprisonment such imprisonment shall terminate as soon as he is removed from the Colony.

Removal from Colony of certain persons convicted under Immorality Ordinance, 1903, and of dangerous persons.

6. Any person who

(*a*) is convicted after the date of the taking effect of this Act of a contravention of sections *three thirteen* or *twenty-one* of the Immorality Ordinance 1903 or any amendment of such sections; or

(*b*) is deemed by the Minister on reasonable grounds to be dangerous to the peace order and good government of this Colony if he remain therein; or (*c*) having been ordered under any law to leave this Colony fails to comply with the terms of such order;

may be arrested and removed from this Colony by warrant under the hand of the Minister and pending removal may be detained in such custody as may be prescribed by regulation; provided that no such person as is in paragraph (*b*) hereof described shall be removed from this Colony except on the order of the Governor; provided further that every such person arrested shall be discharged from custody unless an order be made by the Governor for his removal from this Colony within ten days after the date of his arrest.

Offences of aiding or being accessory to prohibited immigration.

7. Any person who

(1) wilfully aids or abets a prohibited immigrant in entering or remaining in this Colony; or

(2) wilfully aids or abets a person ordered to be removed under section *six* in remaining in this Colony; or

(3) enters into or purports to enter into a contract as employer with any person outside this Colony with intent that the provisions of this Act be evaded or at the time of entering into or purporting to enter into such contract shall be unable to fulfil his part thereof or has no reasonable expectation of being so able; or

(4) uses or attempts to use any certificate issued under paragraph (*i*) of the classes of persons excluded from the definition of "prohibited immigrant" unless he be the lawful holder of such certificate; or

(5) forges or uses knowing the same to be forged any document purporting to be such certificate

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Prohibited immigrant not to obtain a licence to carry on trade or calling or acquire interest in land.

8. No prohibited immigrant shall be entitled to obtain a license to carry on in this Colony any trade or calling or to acquire therein any interest in land whether leasehold freehold or other interest; and any such license (if obtained) or any contract deed or other document by which such interest is acquired in contravention of this section shall on conviction of such immigrant under section *five* of this Act be null and void.

Arrest without warrant of persons suspected of being prohibited immigrants.

9. Every person found in this Colony who is reasonably suspected of being a prohibited immigrant may be arrested without warrant by any magistrate justice of the peace police officer or officer of the department and shall as soon as possible be brought before a court of resident magistrate to be dealt with according to law.

Prohibited immigrant not exempt from Act by reason that he was allowed to enter through oversight.

10. No prohibited immigrant shall be exempt from the provisions of this Act or allowed to remain in this Colony by reason only that he had not been informed that he could not enter this Colony or that he may have been allowed to enter through oversight or owing to the fact being undiscovered that he was a prohibited immigrant.

Prohibited immigrant &c., and person assisting him liable to pay expense of his removal and custody.

11. Any person ordered to be removed from this Colony under this Act and any other person who shall have been convicted under section *seven* of aiding or abetting him in entering or remaining in the Colony in contravention of this Act shall be liable to pay all expenditure incurred by the government in carrying out such removal whether from the Colony or South Africa or in the detention within the Colony or elsewhere of any person pending his removal; and the amount of such expenditure on production to the Sheriff of the certificate of an officer of the department stating the items and total amount of such expenditure shall be recovered by execution levied on the property within the Colony of the person so liable in manner provided for execution levied under a judgment of the Supreme Court; and the proceeds of such execution shall be paid by the Sheriff to the Treasurer who after deduction of the amount of expenditure aforesaid and the costs of execution shall remit the balance to the person so liable or to any person appointed by him to receive same.

Keeping of books by hotel boarding-house and lodging-house keepers.

12. (1) It shall be the duty of every keeper or person having the management of a place used as an hotel boarding-house lodging-house or other place wherein persons receive sleeping accommodation for money or valuable consideration to cause to be kept a book in which every person immediately he first receives such accommodation shall enter his name and place from which he last came.

(2) Every such book shall be open to the inspection of any police officer or officer of the department at all reasonable times.

(3) Any person failing to comply with the requirements of this section or obstructing or preventing any such officer in carrying out his powers thereunder or making any false entry in such book shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds or in default of payment to imprisonment not exceeding one month or to both such fine and such imprisonment.

Evidence.

13. The burden of proving that a person has not entered or remained in this Colony in contravention of this Act or any regulation shall in any prosecution for such contravention lie upon the accused person.

Special jurisdiction of resident magistrates.

14. Every court of resident magistrate shall have jurisdiction to impose the maximum penalties for all contraventions of this Act or of any regulation.

Regulations for purposes of Act

15. The Governor may from time to time make alter or rescind regulations not inconsistent with the provisions of this Act for all or any of the following purposes:—

(*a*) prescribing the powers and duties of officers of the department;
(*b*) for preventing the entrance of prohibited immigrants into this Colony;
(*c*) for the removal from this Colony of persons ordered under this Act to be removed therefrom;
(*d*) for the detention pending removal of persons ordered under this Act to be removed from the Colony;
(*e*) prescribing the diseases which are infectious or contagious diseases for the purposes of sub-section (6) of the definition of "prohibited immigrant";
(*f*) prescribing the forms of
  (i) the certificate mentioned in paragraph (*i*) of the classes of persons excluded from the definition of "prohibited immigrant";
  (ii) the warrants to be issued by the Minister under sections *five* and *six*;
  (iii) the book to be kept under section *twelve*;
(*g*) prescribing the conditions under which prohibited immigrants may be allowed to pass through this Colony while journeying to a place outside the same;
(*h*) generally for the better carrying out of the objects and purposes of this Act;

and may by any such regulations prescribe penalties for contraventions thereof not exceeding a fine of one hundred pounds or in default of payment imprisonment for a period not exceeding six months or both such fine and such imprisonment.

Title and date of taking effect.

16. This Act may be cited for all purposes as the Immigrants Restriction Act 1907 and shall not take effect unless and until the Governor shall proclaim in the Gazette that it is His Majesty's pleasure not to disallow the same and thereafter it shall take effect upon such date as the Governor shall notify by proclamation.

Enclosure 2 in No. 18.

REPORT.

Act No. 15 of 1907.

(Assented to 15th August, 1907.)

This Act, which is entitled the Immigrants Restriction Act, 1907, received the assent of the Governor on the 15th August. Certain clauses specifically and certain other clauses indirectly impose special disabilities on persons of non-European birth. The operation of the Act has, therefore, by section *sixteen*, been suspended for the signification thereon of His Majesty's pleasure.

The reasons for legislation are as follows:—During the existence of Crown Colony Government such restrictions as were placed upon the entrance of undesirable persons into this Colony were carried out by means of the permit system of the Peace Preservation Ordinance, 1903; and by the Inter-Colonial Council Order-in-Council, 1903, the administration of the Permit Office was specially assigned to the Inter-Colonial Council. That body recently decided to make no further provision for carrying on a Permit Office after the 30th June, 1907, and the carrying out of the Peace Preservation Ordinance would, therefore, from that date fall upon the Colonial Government. The terms of the Ordinance were no longer suited to the existing conditions of the Colony, and it was felt that its provisions should give place to an Immigration Act based on the lines of the Acts of the two coast colonies—Natal and Cape Colony—over whose sea-border the large majority of immigrants come to this Colony.

In framing the definitions of the classes of persons included in and excluded from the definition of "prohibited immigrant," the Government has been careful to follow, as far as local circumstances admit, the provisions and language of the Cape and Natal Immigration Acts, as it contemplates that the provisions of the new Act will largely be carried out in Cape Colony or Natal by the officers of the Governments of those Colonies under agreements made under section *four*.

The Government also in drafting the Act had regard to the provisions of the Immigration Restriction Act, 1901, of the Commonwealth of Australia as amended in 1905.

There are certain provisions of the Act which call for special explanation, as their meaning does not appear on their face or without special knowledge of Transvaal Statute Law.

1. Sub-section (4) of the definition of "prohibited immigrant" in section *two*. The intention is to bring within the definition of "prohibited immigrant" Asiatic newcomers who are not eligible for registration under the Asiatic Law Amendment Act, 1907 (No. 2 of 1907), and who have hitherto been kept out by the refusal of permits under the Peace Preservation Ordinance, as also Asiatics who have temporarily left the Colony in order to evade compliance with that Act may afterwards attempt to re-enter the Colony. The sub-section is further designed to include amongst prohibited immigrants those persons of the criminal classes who have been removed from the Colony or might, if they entered, be removed from the Colony under the powers of sections *three* and *five* of the Prevention of Crimes Ordinance (No. 20 of 1905).

On the other hand the Asiatic who is eligible for or has obtained a registration certificate under the Asiatic Law Amendment Act, 1907, is excluded from the definition of prohibited immigrant provided he is not otherwise an undesirable for the reasons set forth in all the sub-sections of the definition of "prohibited immigrant" —the "education" and "means of support" sub-sections (1) and (2) being excepted.

2. The next provision calling for special attention is section *six*. This section confers on the Government through the responsible Minister the power of removing from the Colony certain persons who are not prohibited immigrants, but are in the Colony after the Act takes effect. Section *ten* of the Peace Preservation Ordinance, 1903, gave the Governor the power to order any person who was deemed on reasonable grounds to be dangerous to the peace, order, and good government of the Colony to leave the Colony, and if he failed to do so within a specified time, he was guilty of an offence. The Government did not consider it desirable to leave that one clause of the Peace Preservation Ordinance standing while the remainder was repealed, and if the whole Ordinance was repealed it was obviously necessary that some power should be given to the Government to deal with existing undesirables.

The first class of undesirable person whom it is very necessary to have power to deal with is the prostitute, pimp, and procurer of foreign origin. Such persons are already in the Colony in large numbers chiefly, of course, in the more populated centres of the Witwatersrand District. Where any such person has been actually convicted after the Act under certain provisions of the Immorality Law, the Government felt that it should have a discretionary power of removing him from the Colony.

The second class of undesirable is the politically dangerous person who may be already in the Colony; and for the purpose of dealing with this class of person subsection (*b*) of section *six* follows the language of the Peace Preservation Ordinance.

The third class is the Asiatic who in defiance of the law refuses or neglects to obtain or is unable to legally obtain a certificate of registration under the Asiatic Law Amendment Act. In view of the fact that the Asiatic population have continued to publicly express their intention of not complying with the registration provisions of that Act, the Government will have to enforce the provisions of that Act by ordering the ringleaders of the agitation, at any rate, to leave the Colony, and should they fail to comply with that order, the Government, it was felt, should have power to summarily remove them, and so avoid the expense and inconvenience incurred by maintaining them in the prisons of the Colony.

The power conferred will in each of the three classes of cases be used with great discretion.

The other clauses of the Act call for no special mention. They are ancillary to the general objects of the measure, which are, first, to prevent certain defined classes of persons who are generally considered undesirable citizens, from entering the Colony; secondly, to render the evasion of the provisions of the Act easy of detection; and thirdly, to penalize such evasions.

I am of opinion that this is an Act as to which it should be His Majesty's pleasure not to exercise his powers of disallowance.

JACOB DE VILLIERS,
Attorney-General.

Attorney-General's Office,
Pretoria,
September 6, 1907.

No. 19.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received October 5, 1907.)

MY LORD, Governor's Office, Johannesburg, September 16, 1907.

WITH reference to your telegram of the 16th August, No. 1,* I have the honour to enclose, for your information, a copy of a minute from Ministers on the subject of the administration of the Asiatic Law Amendment Act, 1907.

I have, &c.,
HENRY HILDYARD,
Deputy-Governor.

Enclosure in No. 19.

MINISTERS to GOVERNOR.

(Minute 472.)

Prime Minister's Office, Pretoria, September 11, 1907.

WITH reference to His Excellency the Governor's Minute, No. 53/11/1907, of the 17th ultimo, transmitting a copy of a telegram from the Right Honourable the Secretary of State regarding the position taken up by the British Indian community with respect to the Asiatic Law Amendment Act,

Ministers have the honour to suggest that the Secretary of State for the Colonies be informed that a section of the Asiatic population of the Transvaal has organised a campaign of resistance against the provisions of the Asiatic Law Amendment Act, 1907, and by threats are preventing other members of the community who desire to obey the law from making application. Numerous affidavits have been submitted by Indians which go to prove that they desire registration, but through the action of the hostile section have been prevented from making application, while others who have already been registered have applied for police protection on the grounds that their persons and property are in danger of injury.

Ministers have further to state that the Registrar of Asiatics is now visiting the different districts of the Colony with the object of affording every Asiatic who is subject to registration an opportunity of making application to him, and it has been decided that until the Registrar has completed his tour no action will be taken under the penal provisions of the Act.

LOUIS BOTHA.

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* No. 16.

No. 20.

The Deputy GOVERNOR to the SECRETARY OF STATE.

(Received October 5, 1907.)

[*Answered by No.* 23.]

My Lord, Governor's Office, Johannesburg, September 16, 1907.

I have the honour to transmit to you the accompanying copy of a Minute from my Ministers, enclosing a petition of the British Indian Association on the subject of the Immigrants' Restriction Act, 1907.

I have, &c.,
HENRY HILDYARD,
Deputy-Governor.

Enclosure in No. 20.

Ministers to Governor.

(Minute 469.)

Prime Minister's Office, Pretoria, September 10, 1907.

Ministers have the honour to submit, for the consideration of His Excellency the Deputy Governor, a copy of a letter from the Chairman of the British Indian Association enclosing a petition of the British Indian Association to the Right Honourable the Secretary of State for the Colonies, on the subject of the Immigrants' Restriction Act, 1907. Ministers do not wish to be understood as in any way agreeing to the allegations contained in the petition, many of which are demonstrably incorrect.

J. C. Smuts.

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25 and 26, Court Chambers, Rissik Street,
Johannesburg, August 24, 1907.

Sir,

I beg to enclose herewith, in triplicate, the humble memorial of the British Indian Association addressed to the Right Honourable the Secretary of State for the Colonies with reference to the Immigrants' Restriction Bill, and beg to request that the same may be forwarded to the Right Honourable the Secretary of State for the Colonies.

I have, &c.,
Essop Ismail Mia,
Chairman, British Indian Association.

The Honourable
The Colonial Secretary,
Pretoria.

To The Right Honourable the Secretary of State for the Colonies, London.

*The Petition of the Chairman of the British Indian Association of the Transvaal

Humbly sheweth that:

The Committee of the British Indian Association of the Transvaal respectfully approaches His Majesty's Government regarding the Immigrants' Restriction Bill passed by the Transvaal Parliament.

The said Committee humbly approached both Houses of the said Parliament with respect to the measure, as will more fully appear on reference to copies of the petitions presented to the said Houses and annexed hereto, marked A and B.

The said Committee respectfully submits that the said Bill is open to objection on the following grounds, in that:

(1) It gives permanence to the Asiatic Law Amendment Act.

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* A copy of this petition was also received through the South Africa British Indian Committee on the 19th of September.

(2) It disregards the right of residence of those British Indians who settled in the Transvaal before the war and, in many cases, even paid £3 as the price of their residence in virtue of Law 3 of 1885, but who have not been able to return to the Transvaal either because they, having applied, have not received permits to return, or because they have not yet applied for such permits under the Peace Preservation Ordinance.

(3) It does not recognise any of the Indian languages as part of the educational test required by the Bill.

(4) Sub-section 4 of Section 2 of the Bill requires even Indians who may pass the education test prescribed by the Bill to be subject to the Asiatic Law Amendment Act.

(5) It makes no provision for facilities to the Indian merchants already settled in the Transvaal for temporarily importing confidential clerks and assistants or domestic servants.

(6) Sub-Section C of Section 6 of the Bill gives the power for physical and forcible deportation of those affected by the Asiatic Law Amendment Act.

ARGUMENT ON THE ABOVE.

The said Committee would now crave leave to discuss *seriatim* the aforementioned grounds of objection.

1*st Ground.*

As His Majesty's Government is aware, the Asiatic Law Amendment Act continues to cause the greatest irritation to the British Indian community residing in the Transvaal. Its provisions are felt to be so insulting and injurious to the self-respect of that community, that many of its members, rather than accept registration under it, are prepared humbly to suffer the penalty of non-registration, even at the risk of losing all their worldly prospects. The measure, when it was first introduced, was meant to be of a temporary nature, and was resorted to in order not to anticipate the verdict of a popularly elected Assembly on Asiatic Immigration, and in the absence of any other law like the Bill under discussion. The very first section of the Bill renders the Asiatic Law Amendment Act permanent, and retains the provisions also of the Peace Preservation Ordinance, in so far as they may be necessary for the administration of the Asiatic Law Amendment Act.

2*nd Ground.*

It is common knowledge that many British Indians who left the Transvaal on the outbreak of hostilities have not yet returned to the country of their adoption. Many of them paid £3 to the old Dutch Government for the purpose of settlement in the country. Owing to the serious obstacles placed in the way of their getting permits under the Peace Preservation Ordinance—although European aliens received them practically for the asking—they have not yet been able to return to the Transvaal. Some of them have not even applied. These refugees would, under the Bill, become prohibited immigrants for want of a knowledge of some European language. This prohibition will operate very harshly against deserving British subjects possessing vested rights. In thus cancelling the right of domicile, the Bill goes further than similar legislation in Cape Colony.

3*rd Ground.*

In refusing to recognise Indian languages, the Bill draws an invidious and unjustifiable distinction.

4*th Ground.*

In the humble opinion of the said Committee, Sub-Section 4 of Section 2 is very vague and difficult of interpretation. It is, however, evident that it aims, amongst others, at Indians of attainments. By requiring them to comply with the terms of the Asiatic Law Amendment Act, it takes away with the other hand what it gives with the one, for it is hardly conceivable that any Indian, having received a liberal education, will ever accept the terms of that Act. Nor is it possible to see any reason for subjecting such Indians to the Act, whose object is to identify Indian residents in the Transvaal, for such Indians, by reason of their knowledge of a European language, carry on their own persons marks of identification. The Asiatic Law Amendment Act is supposed to be necessary because of the illiteracy of the majority of Asiatics residing in the Colony. To require educated Indians to comply with the Act is, in the humble opinion of the said Committee, a wanton insult, and an indirect mode of depriving Indians of the benefit of the educational clause of the Bill.

5th Ground.

It cannot be denied that want of facilities to Indians entitled to reside in the Transvaal to import temporary assistance would be a serious grievance.

6th Ground.

Sub-Section (c) of Section 6 did not appear in the original draft. As has been pointed out above, Indians in the Transvaal are carrying on a life and death struggle in respect of the Asiatic Law Amendment Act. It is surmised that thousands of Indians are prepared to suffer the hardships of imprisonment rather than submit to the said Act. To many the Transvaal is their home, where they earn an honest livelihood. For them to be turned out of the country is to make them, perhaps, face starvation, certainly to ruin their prospects in life. Whilst the Asiatic Law Amendment Act provides for a notice of removal from the Colony for failure to take out the registration certificate required to be taken out by the Act, disregard of such notice renders the delinquent liable to be imprisoned. Sub-Section (c) above referred to gives the local Government *power to physically and forcibly deport at his own expense* any person disregarding notice of removal under the Asiatic Law Amendment Act. Thus it is humbly submitted that the sub-section in question is not only a cruel provision in itself, but it is also extremely unfair, in that it indirectly amends the Asiatic Law Amendment Act very greatly to the disadvantage of those affected by it. The said Committee feels sure that, had such an amendment been made in the Act itself, it would not have received the Royal sanction. The said Committee therefore trusts that the method adopted under the said sub-section to take extraordinary powers under the said Act will be considered by His Majesty's Government to be much more objectionable. Moreover, the effect of forcible deportation would amount to a confiscation of the property of the deported, and there seems to be no place provided to deport persons to. The Cape and Natal will not receive such persons. These would, therefore, be forcibly sent back to India to face starvation. This deportation for a venial offence (if it be an offence at all) will, therefore, be much worse than deportation for heinous offences, for, in the latter, the persons condemned are at least housed and fed.

GENERAL REMARKS.

The said Committee is humbly of opinion that, since the British occupation of the country, His Majesty's Government have neglected or disregarded the interests of British Indians, as being the weaker party, in deference to the clamours of interested persons, because they happened to be strong, and this in despite of repeated promises and assurances made and given to the Indians. The said Committee, moreover, respectfully draws the attention of His Majesty's Government to the fact that Indians are totally unrepresented in the House of Assembly, that not a word was said by any member thereof in favour of the petition presented on its behalf to that honourable House, and that a similar fate overtook a similar petition presented to the honourable the Legislative Council, although that Honourable House has been constituted for, among other things, the protection of interests not represented in the lower and elected House. Under the circumstances, the said Committee respectfully submits that British Indians have a right to receive special protection from His Majesty's Government as the central power in the Empire.

PRAYER.

The said Committee, therefore, respectfully prays that the said Bill may be disallowed and that the good offices of His Majesty's Government be used to secure such an amendment of the Bill as to relieve the present tension adversely affecting Indian subjects of His Majesty the King-Emperor owing to the Asiatic Law Amendment Act.

But, if His Majesty's Government find it impossible to secure relief for the community represented by the said Committee, in its humble opinion, it were better for them and for the sake of peace within the Empire that Indian subjects of the

Crown were withdrawn from the Transvaal and duly compensated for dispossession of vested and acquired rights, either from the local or the Imperial Exchequer.

And for this act of justice and mercy the Petitioner shall as in duty bound for ever pray, &c.

ESSOP ISMAIL MIA,
Chairman, British Indian Association.

P.O. Box 6522,
August 23, 1907,
Johannesburg.

APPENDIX A.

TEXT of the petition forwarded by the Transvaal British Indian Association to the Legislative Assembly, protesting against the Immigrants' Restriction Bill:—

To the Honourable, the Speaker, and Members of the Legislative Assembly of the Transvaal.

The petition of the Acting Chairman of the British Indian Association of the Transvaal, humbly sheweth that:—

1. Your Petitioner has been desired by the Committee of the British Indian Association to approach this Honourable House in connection with the Immigration Restriction Bill now under consideration.

2. While the said Association ventures to approve of the principle of the Measure, in its humble opinion from an Indian standpoint, some of its features are open to serious objection, namely:

a. The Bill in question does not recognise Indian languages, which have a vast literature.

b. It does not recognise the claim of those who have been formerly domiciled in the Transvaal. (Many British Indians who paid £3, under Law 3 of 1885, as amended in 1886, before 1899, for settling in the country, but who are now out of the Colony and who have not received permits under the Peace Preservation Ordinance, are by the Bill in question prohibited from re-entering the country unless they possess the educational qualifications contemplated by the Bill.)

c. Clause 4 of Section 2, as it has been interpreted to the said Association, makes it practically impossible, even for British Indians with high educational attainments to enter the Transvaal unless they comply with the terms of the Asiatic Registration Act. (In the humble opinion of the Association, those who pass the education test imposed by the Bill need hardly furnish further identification for purposes of immigration.)

d. As interpreted to the Association, the said Clause 4 ranks British Indians with people affected by the Immorality Ordinance, and is therefore considered by the British Indian community to be highly offensive.

e. The Bill in question, contrary to expectation, perpetuates the Asiatic Registration Act.

3. The said Association humbly ventures to draw the attention of this Honourable House to the fact that British Indians are not represented therein, and that, therefore, they may respectfully claim additional consideration from this Honourable House.

4. In conclusion, the said Association trusts that the position will receive due consideration, and that such relief will be granted as may be possible in the circumstances. And for this act of justice and mercy your Petitioner, as in duty bound, shall for ever, &c.

MOOSA ISMAIL MIA,
Acting Chairman, British Indian Association.

Dated at Johannesburg, this 9th day of July, 1907.

Appendix B.

Text of the petition forwarded by the Transvaal British Indian Association to the Legislative Council, protesting against the Immigrants' Restriction Bill:—

The Honourable the President, and the Members of the Honourable the Legislative Council of the Transvaal.

The petition of Essop Ismail Mia, in his capacity as Acting Chairman of the British Indian Association of the Transvaal, humbly sheweth that:—

1. Your petitioner is the Acting Chairman of the British Indian Association of the Transvaal.

2. The Association above-named respectfully approaches this Honourable House with regard to the Bill "to place restriction on immigration into this Colony, to provide for the removal therefrom of prohibited immigrants and other persons, and to establish and maintain an Immigration Department" now or shortly to be before this Honourable House for consideration.

3. While the petitioning Association endorses the principle of restricting immigration, it respectfully draws the attention of this Honourable House to the following:—

a. The Bill perpetuates the Asiatic Law Amendment Bill.

b. It does not recognise any of the great Indian languages.

c. It sets aside the rights of those British Indians who, before the late war, paid £3 for the right of settling in the Transvaal, and who, being refugees, have not received permits under the Peace Preservation Ordinance.

d. By Sub-clause 4 of Clause 2 thereof, it subjects even those Indians who may pass the educational test and are not otherwise prohibited to the operation of the Asiatic Law Amendment Act. (It is respectfully submitted that Indians of educational attainments do not require further identification.)

4. The petitioning Association humbly submits that the objections above enumerated are worthy of consideration by this Honourable House.

5. The petitioning Association respectfully reminds this Honourable House of its special function to protect the interests of those communities which are not represented in the Parliament of this Colony, and the petitioning Association represents such a community.

6. The petitioning Association, therefore, respectfully prays that this Honourable House will grant such relief as to it may appear fit; and for this act, &c., &c.

Essop Ismail Mia,
Acting Chairman, British Indian Association.

Dated at Johannesburg, this 22nd day of July, 1907.

Appendix C.

Extracts from the Bill dealt with in the foregoing Petition.

Section 1. The Peace Preservation Ordinance 1903 shall be and is hereby repealed; provided that no such repeal shall affect or abridge any powers or jurisdiction by the Asiatic Law Amendment Act 1907 conferred for the purpose of carrying out such Act; but the said Ordinance shall for all the purposes of such Act be deemed to remain of full force and effect.

Section 2, Sub-Sections 1 and 4. "Prohibited immigrant" shall mean and include any of the following classes of persons desiring to enter or entering this Colony after the date of the taking effect of this Act:—

(1) Any person who when asked whether within or outside this Colony by a duly authorized officer shall be unable through deficient education to write out (from dictation or otherwise) and sign in the characters of an European language an application for permission to enter this Colony or such other document as such officer may require; provided

that for the purposes of this sub-section Yiddish shall be accepted as an European language.

(4) Any person who at the date of his entering or attempting to enter this Colony is subject or would if he entered this Colony be subject to the provisions of any law in force at such date which might render him liable either at such date or thereafter if found therein to be removed from or to be ordered to leave this Colony whether on conviction of an offence against such law or for failure to comply with its provisions or otherwise in accordance with its provisions; provided that such conviction be not the result of the commission by such person elsewhere than in this Colony of an offence for which he has received a free pardon.

SECTION 6. Any person who—

(*a*) is convicted after the date of the taking effect of this Act of a contravention of sections *three*, *thirteen* or *twenty-one* of the Immorality Ordinance 1903 or any amendment of such sections; or

(*b*) is deemed by the Minister on reasonable grounds to be dangerous to the peace, order and good government of this Colony if he remain therein; or

(*c*) having been ordered under any law to leave this Colony fail to comply with the terms of such order;

may be arrested and removed from this Colony by warrant under the hand of the Minister and pending removal may be detained in such custody as may be prescribed by regulation; provided that no such person as is in paragraph (*b*) hereof described shall be removed from this Colony, except on the order of the Governor; provided further that every such person arrested shall be discharged from custody unless an order be made by the Governor for his removal from this Colony within ten days after the date of his arrest.

SECTION 11. Any person ordered to be removed from this Colony under this Act and any other person who shall have been convicted under section *seven* of aiding or abetting him in entering or remaining in the Colony in contravention of this Act shall be liable to pay all expenditure incurred by the Government in carrying out such removal whether from the Colony or South Africa or in the detention within the Colony or elsewhere of any person pending his removal; and the amount of such expenditure on production to the Sheriff of the certificate of an officer of the department stating the items and total amount of such expenditure shall be recovered by execution levied on the property within the Colony of the person so liable in manner provided for execution levied under a judgment of the Supreme Court; and the proceeds of such execution shall be paid by the Sheriff to the Treasurer who after deduction of the amount of expenditure aforesaid and the costs of execution, shall remit the balance to the person so liable or to any person appointed by him to receive same.

No. 21.

COLONIAL OFFICE to INDIA OFFICE.

[*Answered by No. 26.*]

SIR,

Downing Street, October 10, 1907.

I AM directed by the Earl of Elgin to transmit to you, to be laid before Mr. Secretary Morley, the accompanying copy of a despatch* from the Deputy Governor of the Transvaal forwarding, for the signification of His Majesty's pleasure, the Immigrants Restriction Act, recently passed by the Transvaal

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* No. 18.

Legislature, together with a report on the provisions of the Act by the Attorney-General of the Colony. I am also to enclose a copy of a letter from the South Africa British Indian Committee, forwarding a petition from the Transvaal British Indian Committee, protesting against the terms of the Act.*

2. Lord Elgin would be glad to receive an expression of Mr. Morley's views, more particularly with regard to Section 2 (4) and Section 6 (*c*) of the Act.

3. The practical effect of Section 2 (4) will be to prevent the further immigration into the Transvaal of British Indians or other Asiatics. As Mr. Morley is aware, throughout the correspondence which has passed on this subject, His Majesty's Government have practically limited themselves to endeavouring to secure more favourable treatment for those Asiatics who have already acquired a right to reside in the Colony, and the competence of the Colonial Legislature and Government to restrict further immigration by means of legislation similar to that already adopted in other self-governing Colonies has not been disputed. In this connection I am to draw attention to Mr. Lyttelton's despatch, printed at page 44 of [Cd. 2239]. Moreover, in the interests of British Indians themselves, it is probably desirable, in view of the state of Colonial feeling, that further immigration should be restricted. Lord Elgin does not, therefore, propose to raise any objection to this provision.

4. Section 6 (*c*) must be considered in connection with the recent Asiatic Law Amendment Act. Under that Act, Asiatics failing to register may be ordered to leave the Colony; and failure to comply with such an order is punishable by imprisonment. The object of this section, as explained by the Attorney-General in his report is to enable the Government to deport, in lieu of imprisoning, Asiatics who fail to register under the Asiatic Law Amendment Act. While Lord Elgin feels that the free exercise of so drastic a power would be greatly to be deprecated, he doubts whether His Majesty's Government can consistently object to a provision the object of which is to enable the Colonial Government to enforce the observance of the Asiatic Law Amendment Act, which His Majesty's Government have allowed to become law, and to which the British Indian community appears at present to be disposed to offer an organised resistance. He therefore proposes, subject to any representation which Mr. Morley may wish to make, to accept this provision also.

5. Section 2 (*i*) is identical with a provision in the Cape Immigration Act, 1906, to which exception was taken by His Majesty's Government on account of the restriction of the benefits of the provision to "European persons." Inasmuch, however, as His Majesty's Government ultimately acquiesced in this provision in the Cape law, it does not seem possible to object to its insertion in the Transvaal Act.

6. I am to add that it seems probable that it will be necessary to press for some amendment of Section 6 (*b*) of the Act (which does not especially concern British Indian subjects) and that Lord Elgin is communicating with the Foreign Office with regard to this.

7. An early reply to this letter is requested.

I am, &c.,
H. W. JUST.

No. 22.

COLONIAL OFFICE to FOREIGN OFFICE.

[*Answered by No.* 29.]

SIR, Downing Street, October 10, 1907.

I AM directed by the Earl of Elgin to transmit to you, to be laid before Secretary Sir Edward Grey, the accompanying copy of a despatch‡ from the Deputy Governor of the Transvaal, forwarding, for the signification of His Majesty's pleasure, the Immigrants Restriction Act, recently passed by the Transvaal Legislature, together with a report on the provisions of the Act by the Attorney-General of the Colony.

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* See No 20.

‡ No. 18.

2. Lord Elgin would be glad to receive an expression of Sir Edward Grey's views, more particularly with regard to Section 6 (*b*) of the Act.

3. It will be seen that this sub-section empowers the Colonial Government to remove from the Colony any person who "is deemed by the Minister on reasonable grounds to be dangerous to the peace, order, and good government" of the Colony. It appears to Lord Elgin that by this provision, which extends in its operation to British subjects as well as to aliens, a dangerously wide power is given to the Executive Government of the Colony. It is true that, in some Protectorates, power to expel dangerous persons has been taken, *e.g.*, in the Bechuanaland Protectorate Proclamation No. 15 of 1907, a copy of which is enclosed, and special powers were taken in the Transvaal and Orange River Colony Peace Preservation Ordinances, copies of which are also enclosed.* But these Ordinances were passed soon after the end of a long war, when the country was not in a normal condition, and it is believed that no precedent exists for such legislation in a responsibly-governed Colony. In this connection I am to refer to the general remarks on the objections to such legislation in the judgment of the Privy Council in the case of Sigcau Appeals, 1897, pp. 246-8. I am further to point out that the Peace Preservation Ordinances did not give the Executive power summarily to expel anyone, but only to issue an order to leave the country, and in the event of the person in question being found within the Colony, to bring him before a Magistrate and, on conviction, to inflict a fine or imprisonment. Reference should also be made to the protest made by His Majesty's Government against the Aliens Expulsion Law, passed by the late South African Republic in 1896 (see page 67, C. 8423) in consequence of which the Volksraad resolved that no one should be banished without having been found guilty by the Courts (see p. 16, C. 8721). Lord Elgin is therefore disposed, as at present advised, to make the non-disallowance of the Act conditional upon an undertaking by the Transvaal Government to introduce amending legislation limiting this power to the cases of persons convicted of some offences before the Courts of the Colony, or, at any rate, providing some means by which any such order of removal may be brought before the Courts for confirmation or discharge.

4. Certain provisions of the Act especially affect the position of Asiatics in the Colony, and, as these provisions are of importance in relation to British Indians, Lord Elgin is causing a letter† to be addressed to the India Office on the subject. A copy of this letter is enclosed, and as the provisions in question relate also to Asiatics who are not British subjects, Lord Elgin would be glad if Sir Edward Grey would take them into his consideration.

5. An early reply to this letter is requested.

I am, &c.,
H. W. JUST.

No. 23.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 10.25 a.m., October 17, 1907.)

TELEGRAM.

[*Answered by No.* 51.]

October 17. No. 1. Your despatch 16th September.‡ It would be of material assistance to His Majesty's Government if your Ministers would be good enough to send full report by mail, pointing out particulars in which petition is inaccurate.—ELGIN.

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* See Appendix II. † No. 21. ‡ No. 20.

No. 24.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received October 26, 1907.)

[*Answered by No.* 66.]

MY LORD, Governor's Office, Johannesburg, October 7, 1907.

I HAVE the honour to forward herewith two authenticated copies of Act No. 27 of 1907 "to amend the Vrededorp Stands Ordinance 1906," together with a report thereon by the Attorney-General.

I have, &c.,
HENRY HILDYARD,
Deputy Governor.

Enclosure 1 in No. 24.

Act No. 27 of 1907.]

AN ACT to Amend the Vrededorp Stands Ordinance, 1906.

(*Assented to* 19*th August*, 1907.)

Whereas the Government of the late South African Republic by certain Executive Council Resolutions No. 709 of 13th December 1893 No. 137 of 20th March 1894 No. 180 of 3rd March 1896 and the First Volksraad by Resolution Article 1181/96 confirming Second Volksraad Resolution Article 940/96, authorised the issue of stand licences on the open stands on Government ground in the area know as the township of Vrededorp to indigent persons for the purposes of occupation by such persons and on certain conditions in the said Resolutions set forth;

And whereas it is expedient that the freehold title to the said stands should be transferred from the Government of this Colony to the Municipal Council of Johannesburg and by it should be transferred to the registered holders of such stands subject to certain conditions;

And whereas it is further expedient that other land in the area known as the township of Vrededorp should be transferred to the said Municipal Council;

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of The Transvaal as follows:—

Repeal of Ordinance No. 31 of 1906.

1. The Vrededorp Stands Ordinance 1906 shall be and is hereby repealed.

Interpretation of terms.

2. In this Act unless inconsistent with the context:

"appointed day" shall mean the date of the taking effect of this Act;

"civil magistrate" shall mean one of the civil magistrates of Johannesburg mentioned in section *fifty-four* of the Magistrate's Court Proclamation 1902;

"council" shall mean the municipal council of Johannesburg;

"owner" shall mean a registered holder who has acquired under this Act the freehold of the stand registered in his name or the person to whom such freehold has been legally transferred;

"registered holder" shall mean any person for the time being registered as the holder of any stand under a grant made under the resolutions;

"stand" shall mean any piece of ground set apart as a stand and within the area defined in the first schedule to this Act;

"the resolutions" shall mean the resolutions mentioned in the preamble to this Act;

"town clerk" shall mean the town clerk of Johannesburg or any person lawfully acting in such capacity.

Transfer of freehold title to Vrededorp township from Government to the council.

3.—(1) On the appointed day the freehold title in so much of the area of land defined in the first schedule hereto as is vested in the Crown ((except such portions thereof as are at the date of the taking effect of this Act occupied by the Crown or reserved for public purposes) shall be by the Governor granted to and vested in the council (without reservation to the Crown of the right to minerals mineral products or precious stones on or under such area) and registered in the name of the council in the Deeds Office without payment of transfer duty stamp duty or registration charges; provided always that such area when granted to the council shall be held by the council subject to the provisions of this Act.

(2) All rights and obligations of the Government under and by virtue of the resolutions and of any grants made thereunder shall be vested in the council on the appointed day but such rights and obligations and the rights acquired by registered holders under the resolutions shall continue in force subject to the provisions of this Act.

Right of registered holder to obtain freehold from the council.

4. On the appointed day or at any time within a period of four years thereafter every registered holder shall be entitled on making application in writing to the town clerk to obtain from the council in substitution for his existing interest in the stand registered in his name a freehold title on payment of the price prescribed by and the other moneys payable under Section *five* and subject to the following conditions:—

(*a*) that such title shall not be transferred to any Asiatic native or coloured person;

(*b*) that the owner after the expiry of the said period of four years shall not permit any Asiatic native or coloured person (other than the *bonâ fide* servant of a white person for the time being residing on the stand) to reside on or occupy the stand or any part thereof;

(*c*) that the owner shall not transfer or sublet or permit to be transferred or sublet the stand or any part thereof to any Asiatic native or coloured person;

(*d*) if after the expiry of the said period of four years any Asiatic native or coloured person (other than such servant as aforesaid) is found residing on the stand or occupying the same or any part thereof the council may give notice in writing under the hand of the town clerk posted to or delivered at the owner's last known address and affixed to any building or erection on such stand requiring the owner to cause such Asiatic native or coloured person to leave or vacate such stand or part thereof within a period of three months from the date that such notice is so posted or delivered or to appear before the civil magistrate at an hour on a date and at a place to be named in such notice to show cause why he should not comply with the terms of such notice; and on the failure of such owner to comply with the terms of such notice or to show cause to the satisfaction of such magistrate why he should not so comply such magistrate may declare the title of such owner to be forfeited.

Price to be paid to council for freehold title and other moneys.

5.—(1) The price to be paid to the council for the freehold title to any stand shall be forty pounds and shall become payable on the date on which application for such title is made under section *four*; provided that the council may accept payment of such price in such instalments as it may think fit at any time within the said period of four years; provided further that interest at six per centum per annum shall be payable by the registered holder as from such date on any portion of such price for the time being unpaid. No price shall be payable to the council for the freehold title to any stand described in the Second Schedule hereto.

(2) Before freehold title to any stand is transferred by the council the applicant therefor shall in addition to such price and interest pay to the council—

(*a*) all arrear stand licence moneys in respect of such stand;

(*b*) all charges due to the council for sanitary service as from the first day of January 1903 and all charges due to the council for the supply of water gas or electricity and for any other municipal service in respect of such stand and all rates due and unpaid thereon;

(*c*) the cost of transfer and diagrams.

Duties of Registrar of Deeds and Registrar of Mining Rights when freehold title declared forfeited.

6. Whenever there shall have been produced to the Registrar of Deeds by the town clerk an order signed by the civil magistrate declaring that the freehold title to any stand is forfeited as aforesaid such Registrar shall thereupon cancel the entries in his register and the Deeds Office copy of the deed of transfer under which such stand is held and thereupon such title shall be divested from the owner of such stand and become vested in the council. The Registrar of Deeds shall further and forthwith transmit notice of such forfeiture to the Registrar of Mining Rights who shall make a note thereof in the special books kept under section *nine.*

Exemption from transfer duty, stamp duty and registration charges.

7. Notwithstanding anything contained in the laws for the time being relating to transfer duty stamp duty registration of deeds or mining rights the transfer of freehold title by the council under this Act and the diagrams framed in connection therewith shall not be subject to any such duty or to registration charges.

Restriction on registration of transfer until municipal rates and charges are paid.

8. No registration of transfer under this Act shall take place unless there be produced to the Registrar of Deeds a certificate signed by the town clerk showing that all charges for sanitary service and for the supply of water gas and electric energy and for any other municipal service due to the council in respect of the stand together with all rates imposed thereon have been paid.

Special registers to be kept by Registrar of Mining Rights.

9. The Registrar of Mining Rights shall keep special books in which he shall record particulars which it shall be the duty of the Registrar of Deeds to supply to him of all titles granted under this Act and of any transfers of such titles.

Registered holder who fails to apply for freehold or to complete payments within period specified to forfeit all rights.

10. At the expiry of the said period of four years any registered holder who has failed to make application for freehold title to the stand registered in his name or having made such application has failed to complete the payments prescribed by section *five* shall *ipso facto* forfeit to the council all his right to and interest in such stand and shall forthwith quit the stand and remove therefrom all movable property belonging to him. No compensation shall be payable by the council to any such holder for improvements effected upon such stand; and such holder shall not be entitled to recover any moneys paid on account of such freehold title or right or interest save and except the moneys paid by him under section *five* on account of the price of such freehold title which shall be refunded to him without interest on application to the town clerk.

Council not to dispossess registered holder during said period.

11. The council shall not be entitled by virtue of anything contained in the resolutions or any grants made thereunder to deprive any registered holder of his right to or interest in any stand prior to the expiry of the said period of four years.

Power of Registrar of Mining Rights to pass transfer of stands not restricted.

12. Notwithstanding anything contained in the resolutions or any grants made thereunder it shall be lawful for the Registrar of Mining Rights prior to the grant of freehold title to a stand under this Act to pass transfer of such stand or portion thereof whether the persons to whom transfer is to be passed do or do not fall within the provisions of such resolutions or grants; and any such transfers passed before the taking effect of this Act to persons not falling within such provisions shall be deemed to have been lawfully passed; provided that such Registrar shall not pass any such transfer which is contrary to the provisions of section *fourteen.*

Restrictions on residence and occupation of Asiatics natives or coloured persons.

13. After the expiry of the said period of four years it shall not be lawful for any Asiatic native or coloured person (other than the *bonâ fide* servant of a white person for the time being residing on a stand) to reside on such stand or to occupy the same or any part thereof and any such Asiatic native or coloured person so residing or occupying may be ejected from such stand on action brought by the owner thereof or by the council. Every such action shall notwithstanding anything in the Magistrate's Court Proclamation 1902 contained be brought in the court of the civil magistrate. Provided that nothing in this section contained shall in any way deprive such Asiatic native or coloured person of any right to compensation which he may have at law against such owner or the council or other person by reason of the exercise of the powers of this section.

Voidence of transfer and agreements in respect of stands after 5th August, 1907.

14. It is hereby expressly enacted that every transfer of a stand or portion thereof and every agreement (whether oral or in writing) to transfer or sublet a stand or portion thereof to an Asiatic native or coloured person if such transfer or agreement be made after the fifth day of August 1907 shall be null and void.

15. This Act may be cited for all purposes as the Vrededorp Stands Act 1907 and shall not take effect unless and until the Governor shall proclaim in the *Gazette* that it is His Majesty's pleasure not to disallow the same and thereafter it shall take effect upon such date as the Governor shall fix by proclamation in the *Gazette*. Title and date of taking effect.

FIRST SCHEDULE.

Description of area of land transferred to Municipal Council of Johannesburg under Section *three* of this Act.

The area contained within a line starting from the intersection of the eastern boundary of Location Street and the northern boundary of First Street thence in an easterly direction along the northern boundary of First Street and First Street produced to its intersection with the south-western boundary of the township of Cottesloe thence in a south-easterly direction along the south-western boundary of the said township to its intersection with the western boundary of Milner Park thence in a southerly direction along the western boundary of the said Park to its south-west corner thence in a south-westerly direction to the north-western corner of the Braamfontein Cemetery thence in a southerly direction along the eastern boundary of Toll Street to the north-east corner of Toll and Smit Streets thence in a south-westerly direction to the north-western corner of Stand No. 5150 thence in a southerly direction along the western boundary of the said stand to its south-western corner being a point abutting on the northern boundary of the ground held by the Central South African Railway Administration thence in a westerly direction along the northern boundary of the said railway property to its north-western corner thence in a north-westerly direction to the south-western corner of Stand No. 1270 thence in a northerly direction along the eastern boundary of Kaffir Street to the north-east corner of Kaffir and Eleventh Streets thence in a westerly direction along the northern boundary of Eleventh Street to the north-east corner of Eleventh Street and Location Street thence in a northerly direction along the eastern boundary of Location Street to its intersection with the northern boundary of First Street being the point of beginning as more fully shown on the plan signed by Adam Jameson Commissioner of Lands and John William Quinn Mayor of Johannesburg dated the sixth and twelfth days of September 1906 and deposited at the office of the Surveyor-General.

SECOND SCHEDULE.

List of Stands in Vrededorp Township which are registered in the names of Churches.

Stand Numbers.	Registered Owner.
927, 928	The Resident Minister of the Nederduitsch Hervormde Church.
929, 930	The Resident Minister of the Wesleyan Church.
966	Trustees of the Wesleyan Missionary Society of the British Wesleyan Methodist Conference.
1078, 1079, 1080, 1094, 1095, 1096.	De Nederduitsche Hervormde of Gereformeerde Kerk Gemeente Langlaagte and Fordsburg.

Enclosure 2 in No. 24.

TRANSVAAL LEGISLATION.

REPORT ON ACT NO. 27 OF 1907.

Act No. 27 of 1907.) (Assented to 19th August, 1907.

This Act which is entitled the Vrededorp Stands Act 1907 received the assent of the Governor on the 19th August but inasmuch as its provisions impose special disabilities on persons of non-European origin its operation has been suspended until His Majesty has signified his pleasure with regard to it.

The questions arising out of the transfer of the freehold title of that portion of Johannesburg known as Vrededorp have been previously before the Secretary of State who after consideration of Ordinance No. 31 of 1906 decided to advise His Majesty not to exercise his powers of disallowance.

Notwithstanding that fact the present Government decided not to put that Ordinance into force representations having been made to the Government that its provisions would operate somewhat harshly on the standholders whom it was proposed to benefit by the issue of a better and more marketable title than they had previously possessed and there were further difficulties which would have arisen in the administration of the Ordinance and made its working impossible. It was thought better to remove the Ordinance from the statute book and replace it by a new measure.

Under the Ordinance of 1906 it was provided that standholders should be entitled to secure leasehold title for eighty years to the stands registered in their names on payment of certain moneys and on certain conditions.

One of these conditions was that immediately a standholder had acquired such leasehold title he became under the obligation to remove from his stand any Asiatic Native or coloured person (other than a bona-fide servant of a white resident) and that if he failed to remove such person within a period of three months after receiving notice so to do from the Council his leasehold title was forfeited. But the Ordinance did not provide that the title to remain on the stands which an Asiatic, native or coloured person might have acquired from a standholder was cancelled when such standholder acquired a leasehold title. Further the position created was that a standholder who acquired a leasehold title became subject to an obligation which he could not under certain circumstances possibly fulfil and that if he failed to fulfil that obligation he forfeited his leasehold title altogether.

Further, the Ordinance of 1906 provided that a leasehold title of a stand acquired under it could be cancelled summarily by the Council on notice being given that any intoxicating liquor was sold on the stand without the written consent of the Council. This condition the standholders were unwilling to accept because they would have been debarred from exercising any right which the law regarding the sale of intoxicating liquor might entitle them to exercise, and because, if they broke that law, they would be subject, not only to the penalties prescribed by it, but also to the additional penalty of forfeiture of title.

Further, the Ordinance of 1906 provided that any Asiatic, native or coloured person resident on or occupying a stand under a standholder was to be evicted on the date on which such standholder acquired a leasehold title to such stand. As I have said this title may be acquired at any date within the period of four years so that the date when the Asiatic, native or coloured persons was to be evicted was altogether indefinite. All that could be said was that such person was to be evicted at some date within that period of four years. This is a very serious difficulty. It was felt to be absolutely necessary if persons were to be dispossessed of property that they should be told definitely the date upon which they were to be so dispossessed.

Further, the Ordinance of 1906 provided that the leasehold title to a stand acquired under it could not be transferred without the consent of the Council. This was considered to be an unreasonable restriction upon the rights of private owners which the standholders very naturally refused to accept.

The Ordinance of 1906 further provided that before a standholder could acquire the leasehold title of the stand he held he must pay *all* charges due to the Council for sanitary services as well as for other municipal services.

The Act now passed will give the standholder the right to acquire not the leasehold title but the freehold title to the stand registered in his name on payment of the sum of £40 no matter whether the stand is a corner stand or not as against the £40 for an ordinary stand and £50 for a corner stand which he had to pay under the Ordinance of 1906 for the leasehold title. The Act also provides that a standholder who wishes to acquire the freehold title shall not be obliged to pay *all* arrear charges due to the Council for sanitary services but only those charges due as from the 1st January, 1903.

The Act while it continues to throw upon the standholder the obligation to evict Asiatics, natives, or coloured persons (other than *bona-fide* servants) when he has acquired the definite title to the stand provided for by the Act makes it possible for him to comply with that obligation by prescribing that that obligation shall not be imposed on him until a certain fixed date and further by particularly prescribing that after that date it shall not be lawful for such Asiatic Native or coloured person to reside on or occupy the stand. Thus not only is it made possible for the standholder to comply with the obligation imposed upon him but the date when Asiatics, natives, or coloured persons holding under the standholder are to be dispossessed is definitely fixed.

The Act further provides that if a standholder who has acquired the freehold title to a stand neglects to comply with the obligation to turn out Asiatics, natives, or coloured persons while he will still be liable to have his title forfeited if he does not obey a notice given to him by the Council to comply with such obligation within a period of three months he will have an opportunity before the obligation is enforced of showing cause why he should not be compelled to comply with it before the Civil Magistrate of Johannesburg. That is to say the decision whether a stand is or is not to be forfeited for failure to comply with the obligation will be made not by an interested party, viz., the Town Council of Johannesburg, but by a disinterested judicial officer of high standing.

The Act further does not restrict the right of a standholder who has acquired a freehold title to dispose of the stand as he may think fit except that it is a condition of the grant of the freehold title that it shall not be transferred to any Asiatic, native, or coloured person.

The Ordinance of 1906 provided that if a standholder who wished to acquire a leasehold title to the stand registered in his name and who was allowed by the Council to pay the purchase price for such stand in instalments as provided by the Ordinance failed to complete the payment of all instalments before the expiry of the period of four years such standholder forfeited all instalments paid as well as all his right title or interest to or in the stand. This was considered very severe and so in the Bill it is provided that in such a case *i.e.*, when a standholder paying by instalments for a freehold title does not complete all payments within four years he shall forfeit all his right title or interest to or in the stand but shall have the moneys paid by him on account of the price of such title refunded to him without interest.

The Act further provides that interest on purchase price shall be due and payable only from the date when the application for freehold title is made whereas the Ordinance of 1906 provided that interest should be payable on the purchase price of the leasehold title from the date when the period of four years commenced although the standholder might not have applied for the leasehold title on that date and would have to continue payment of licence moneys until he did comply and pay the first instalment of the price *i.e.*, under the Ordinance a standholder might for a period which might last for four years have to pay not only interest on the purchase price but also licence moneys.

It is understood that the standholders are quite prepared to accept the provisions of the Act and also the Council.

There is one other point in the Act which calls for special mention and that is the question of compensation to Asiatics who are removed under its terms.

This question has been the subject of previous despatches passing between the Governor and the Secretary of State.

Under the common law of South Africa a person who with the consent, express or tacit, of the owner of land but in contravention of the law has erected buildings on land is entitled to claim compensation for those buildings before he can be ejected from such land at the suit of the owner or other person deriving title from the owner. *Commissioner of Mines* versus *Hersch.* (1905) Transvaal Supreme Court Reports at pp. 146-7. The Asiatic and coloured person is in that position. By the terms of the Executive Council and Volksraad Resolutions creating the Vrededorp stands and laying down the conditions of their tenure, the Asiatic and coloured person could neither be a holder nor the assignee of a holder. The holders however did deal in their interests with Asiatics and coloured persons and the Government the owner of the land took no steps to prevent such dealings. The Act provides for the eviction of Asiatics and coloured persons but expressly saves any rights which they may have at law to claim compensation from the Town Council or from the standowner—whichever took proceedings under the Act for the ejectment. This appeared to the Government the only practicable method of dealing with the question of compensation as each case must depend on its own particular facts.

These are the main points of the Act and the main differences between it and the Ordinance of 1906.

I am of opinion that it is an Act as to which His Majesty should be pleased not to exercise his powers of disallowance.

JACOB DE VILLIERS,
Attorney-General.

Attorney-General's Office,
Pretoria,
September 30, 1907.

No. 25.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received October 26, 1907.)

MY LORD, Governor's Office, Johannesburg, October 7, 1907.

WITH reference to your despatch of the 17th August[*] I have the honour to enclose, for your information, a copy of a minute from Ministers on the subject of the right of British Indians to acquire property in the Transvaal.

I have, &c.,
HENRY HILDYARD,
Deputy Governor.

Enclosure in No. 25.

MINISTERS to GOVERNOR.

(Minute 510.)

Prime Minister's Office, Pretoria, September 30, 1907.

MINISTERS have the honour, with reference to Transvaal Minute, No. 15/1907, of the 6th instant, forwarding a despatch from the Secretary of State for the Colonies of the 17th August, 1907, on the subject of the position of British Indians in the Transvaal, to recommend that His Excellency the Governor may be pleased to inform the Secretary of State that it is not possible to entertain the suggestion of granting British Indians the right to acquire property in the Transvaal except in such areas specially appointed for their accommodation under Section 2 (d) of Law 3 of 1885.[‡]

LOUIS BOTHA.

No. 26.

INDIA OFFICE to COLONIAL OFFICE.

(Received November 1, 1907.)

SIR, India Office, Whitehall, London, S.W., October 31, 1907.

I AM directed by Mr. Secretary Morley to acknowledge the receipt of Mr. Just's letter of the 10th instant[†] with reference to the Immigrants' Restriction Act, recently passed by the Transvaal Legislature, which is now awaiting His Majesty's pleasure.

I am to say that the text of the Act is already in the hands of the Government of India, who have been requested to telegraph at once any observations they may wish to make on the measure. Mr. Morley hopes to be able very shortly to communicate his views to Lord Elgin, and trusts that in the meantime no action will be taken.

Without prejudice to his decision as to concurrence in the Act, I am to say that Mr. Morley regrets that he cannot agree that the Act in question can be regarded as similar to the legislation already sanctioned in other self-governing Colonies. He fully recognizes that His Majesty's Government are not in a position to object to the future exclusion of immigrants who are unable to pass such tests as the Colonial authorities, following the lines of other Colonial Legislatures, may think fit to impose. But he must observe that Section 2 (4) of the Transvaal Act introduces a principle to which no parallel can be found in previous legislation. This clause perpetuates an arrangement introduced in very special circumstances, and will debar from entry into the Transvaal British subjects who would be free to enter any other Colony by proving themselves capable of passing the educational tests laid down for immigrants. It will, for instance, permanently exclude from the Transvaal members of learned professions and graduates of European universities of Asiatic origin who may in future wish to enter the Colony. It has further been represented to Mr. Morley that the Act may work grave injustice, since British Indian subjects who had before 1902 acquired domicile in the Transvaal, but, having temporarily left the Colony, had not yet registered themselves, may under its provisions be debarred from re-entry.

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[*] No. 17. [†] No. 21. [‡] See Appendix to [Cd. 3251].

I have, &c.,
COLIN G. CAMPBELL.

No. 27.

INDIA OFFICE to COLONIAL OFFICE.

(Received November 12, 1907.)

SIR, India Office, Whitehall, London, November 11, 1907.

WITH reference to my letter of the 31st ultimo* on the subject of the Transvaal Immigration Restriction Bill, and to your letter of the 4th instant,† on the limitations of the right of British Indians to acquire property in the Transvaal, I am directed by Mr. Secretary Morley to state, for the information of the Earl of Elgin, that the Government of India, while strongly opposed to the principle of the Bill under consideration, recognize that His Majesty's Government must decide the question by considerations other than the interest of British Indian subjects. They observe that, if the Asiatic Law Amendment Act, 1907, preserves the rights possessed by Indians under the Peace Preservation Ordinance, 1903, they do not desire to offer criticisms on the details of the Immigration Restriction Bill.

It is unnecessary to recapitulate the reasons, stated in my letter of the 31st ultimo,* for which Mr. Morley is opposed to Section 2 (4), but on the general question I am to offer the following observations.

Mr. Morley agrees with Lord Elgin that in view of the earlier history of the question it is necessary to accept Sections 2 (1) and 6 (*c*) of the Bill. He cannot affect to regard the latter provision otherwise than with grave misgivings, but since the Asiatic Law Amendment Act, 1907, has received His Majesty's sanction, Mr. Morley recognizes that it would be inconsistent to object to a clause framed merely in order to ensure the efficient administration of that Act so far as it affects persons already in the Transvaal.

Nor does he question the principle that the Colonial Government must be allowed to restrict the immigration of Asiatics by legislation similar to that enacted by other self-governing Colonies. But the effect of Section 2 (4) of the present Bill, as is recognised by Lord Elgin, will be to exclude perpetually from a portion of His Majesty's dominions all British Indian subjects, however high their social status or educational attainments, who have not already acquired domiciliary rights. As regards Asiatics, therefore, the "educational test," which has elsewhere been found sufficient to exclude undesirable immigrants, will in the Transvaal be a dead letter (except that it may possibly be utilised to exclude the re-entry of persons domiciled before the war who have not yet taken the necessary steps to assert their claim to return). In spite of the repetition of the phraseology used in previous Colonial legislation, the Asiatic who attempts to enter the Transvaal will be required to prove that he had resided there before 1902, and his ability to pass the language test, which would ensure his admission into any other Colony, will not be regarded as relevant to the question of his admission into the Transvaal.

It is true that under the Asiatic Law Amendment Act of 1907, the Colonial Government may grant temporary permits. Mr. Morley presumes that this power will, if the occasion arise, be used to prevent such a gross scandal as the exclusion from the Colony of ruling chiefs, Indians of distinguished position, and high officials of Asiatic descent on the ground that they are "undesirable immigrants." But he thinks that it would be satisfactory to obtain a definite assurance that in framing the present Bill the Colonial Government had no intention of refusing access to Asiatics of this type, and he trusts that such an assurance will be obtained and placed on record before the Royal Assent is given to the measure.

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* No. 26.

† Not printed: it transmitted a copy of No. 25.

It is unnecessary to point out to Lord Elgin the unfortunate effect upon public opinion in India which must be produced by the present Bill. The very peculiar circumstances of the Transvaal have been held to justify, during the period of administrative reconstruction, exceptional measures for dealing with the influx of immigrants; but Mr. Morley did not understand, when the provisions of the Asiatic Law Amendment Act were under discussion, that the forthcoming Immigration Restriction Bill would be so framed as to perpetuate the exclusion from the Colony of all future Asiatic immigrants without distinction.

For these reasons I am to say that Mr. Morley trusts that Lord Elgin will find it possible to impress upon the Government of the Transvaal the very strong objections, from an Imperial point of view, which stand in the way of the acceptance of Section 2 (4) of the Bill.

I have, &c.,
COLIN G. CAMPBELL.

No. 28.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received November 14, 1907.)

[*Answered by No.* 42.]

(Extract.)

Foreign Office, November 14, 1907.

I AM directed by Secretary Sir E. Grey to acknowledge the receipt of your letter of the 10th ultimo,* respecting the Immigrants Restriction Act recently passed by the Transvaal Legislature.

In reply, I am to state that in Sir E. Grey's opinion the exercise by the Executive of powers which are ordinarily entrusted to the judiciary (who are accustomed to the investigation of cases according to the recognised rules of evidence) is calculated to give rise to friction with foreign States, who may be led to suppose—whether with or without reason—that their subjects have been treated with injustice.

Sir E. Grey notes the statement of the Attorney-General of the Transvaal that "the powers conferred will in each of the three classes of cases referred to be used with great discretion," but he fears that no mere exercise of discretion will effectually prevent the possibility of conflicts with foreign States in particular cases affecting their subjects, with the result that the attitude of the Transvaal Government may be adversely criticised, with some show of reason, in the Imperial Parliament.

In these circumstances Sir E. Grey considers that the non-disallowance of the Act should be made conditional on the Transvaal Government giving an undertaking, as suggested in the third paragraph of your letter,* to limit the power conferred by the Act to the cases of persons convicted of some offence before the Courts of the Colony.

Sir E. Grey has no observations to make in regard to the provisions of the Act which affect the position of Asiatics in the Colony.

No. 29.

THE BRITISH INDIANS (TRANSVAAL) to THE SECRETARY OF STATE.

(Sent Lourenço Marques, Received Colonial Office 7.20 p.m., November 17, 1907.)

TELEGRAM.

[*Answered by No.* 35.]

We strongly protest against imprisonment of priest Ram Sunder, Pundit, Transvaal.

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* No. 22.

No. 30.

The GOVERNOR OF NATAL to the SECRETARY OF STATE.

(Received 1.25 p.m., November 18, 1907.)

Telegram.

[*Answered by No.* 35.]

Am requested by Natal Indian Congress to forward following Resolution passed at mass meeting:—

> Natal Indians respectfully protest against arrest and sentence of Ram Sunder, pundit, as an undue interference with personal liberty and religion of British Indians in British Colony. Request intervention of home Government for the sake of Empire.—Nathan.

No. 31.

SOUTH AFRICA BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received November 19, 1907.)

[*Acknowledged November* 25, 1907.]

28, Queen Anne's Chambers, Broadway, Westminster, S.W.,
November 18, 1907.

Sir,

I am desired by my Committee to invite your attention to the accompanying copy of a petition which my Committee are advised has been addressed by the Transvaal Chinese Association to the Chinese Minister-Plenipotentiary, London.

My Committee would especially point out the significant reference to British Indians in paragraph 8 of the petition.

I have, &c.,
L. W. RITCH,
Secretary.

Enclosure in No. 31.

To His Excellency
The Envoy-Extraordinary and Minister-Plenipotentiary of His Imperial Majesty the Emperor of China,
London,

The Petition of Leung Quinn, in his capacity as Chairman of the Chinese Association of the Transvaal, humbly sheweth that:—

1. Your Petitioner is the Chairman of the Chinese Association established in Johannesburg four years ago to represent the free Chinese population of the Transvaal.

2. The free Chinese population is at present estimated at over 1,100, the majority of whom are settled in Johannesburg.

3. The majority of the Chinese in the Transvaal are storekeepers of good standing, and are all old residents of the Colony.

4. Your Petitioner invites Your Excellency's attention to the Asiatic Law Amendment Act passed by the Transvaal Legislature, copy whereof is hereto attached.

5. The said measure was first passed during the latter part of last year, and it was so deeply resented by the Chinese community of the Transvaal that it was considered advisable to send a special representative to London to plead the cause of the Chinese before Your Excellency's predecessor, so that proper representations might be made to the British Government, and your Petitioner is glad to be able to say that, as a result of the efforts made by Your Excellency's predecessor, the measure was suspended by His Majesty's Government.

6. It was then repassed unanimously with very great haste by the newly-elected Transvaal Parliament.

7. In the humble opinion of the Chinese Association, the measure fails totally to recognise our ancient civilisation, and the fact of our being an independent sovereign nation.

8. It places Chinese subjects on the same level as British subjects coming from India. While it may be proper for the British Government to treat its Indian subjects as it pleases, your Petitioner respectfully submits that subjects of the Chinese Empire should not be treated in a manner derogatory to the dignity of the Empire to which Your Excellency's Petitioner has the honour to belong, especially in view of the fact that China is a State in alliance with Great Britain, and that the subjects of Great Britain receive the most-favoured-nation treatment in China.

9. The Asiatic Act requires, under insulting and heavy penalties, every Chinaman, among others, resident in the Transvaal to take out a new registration certificate in place of the documents already held by him. It subjects Chinese to a system of inspection which is utterly degrading. It requires even children under 16 to be registered by their parents in a most humiliating manner. It requires adult male Chinese and their children to give 18 finger prints, a requirement which is insisted upon only in connection with habitual criminals. The legislation proceeds upon the assumption, totally denied by the Chinese Association, that many of the Chinese are capable of fraudulent representations. It reduces Chinese to a level lower than that of the natives of South Africa and other coloured people. In short, it is such legislation as can be accepted only by slaves, not free men.

10. The feeling of the Chinese community being as above described, it has decided not to submit to the Act, and to suffer any consequences that may follow such breach of the law. The community understands that total material ruin may follow passive resistance to the law, and that every Chinaman may even be deported Over 900 members of the community have signed a solemn declaration not to accept the degrading Act.

11. The Chinese Association recognises that immigration into the Transvaal should be regulated, and that an effective check should be placed upon illicit entry into the Transvaal Colony, and, in order to assist the local Government in so doing, the Chinese Association has offered to submit to voluntary re-registration as a test merely of the *bonâ fides* of the Chinese community, and not by way of admission that any such re-registration is necessary. It is the compulsion in a matter of this kind which your Petitioner's Association resents.

12. If the voluntary offer cannot be accepted, and substantial relief cannot be granted, in the opinion of the Chinese Association, strong representations should be made to the British Government that every Chinaman should be sent back to China subject to full compensation being paid to him for deprivation of vested rights as to trade, residence, &c.

13. In conclusion, your Petitioner respectfully trusts that the rights of the Chinese subjects resident in the Transvaal will be fully protected by Your Excellency; and for this act of justice and mercy your Petitioner shall, as in duty bound, for ever pray, &c.

LEUNG QUINN,
Chairman,
Transvaal Chinese Association.

Dated at Johannesburg,
this 14th day of October, 1907.

No. 32.

THE INDIAN ASSOCIATION, PORT ELIZABETH, to THE SECRETARY OF STATE.

(Received 4.17 p.m., November 19, 1907.)

TELEGRAM.

[*Answered by No.* 35.]

Respectfully appeal to you to intervene behalf our people in Transvaal. We protest against class legislation, and confidently hope you will use your influence for Indian Priest Ram Sunder under sentence.—INDIAN ASSOCIATION.

No. 33.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5.55 p.m., November 22, 1907.)

Telegram.

[*Answered by No.* 40.]

November 22. No. 1. British Indians in Transvaal have asked me to telegraph following resolution to you, passed by mass meeting at Germiston in connection with recent trial of Ram Sunder Pundit, with the request that a copy should be furnished to Secretary of State for India for transmission to Viceroy:—

> "Impromptu mass meeting British Indians held Germiston after sentence against Ram Sunder Pundit, only Hindu priest, under Asiatic Registration Act resolved approach His Majesty King Emperor grant protection against oppression under which innocent Indians groaning. Pundit he preferred gaol to sacrifice of principle. Thousands ready to do likewise."—Selborne.

No. 34.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5.27 p.m., November 22, 1907.)

Telegram.

[*Answered by No.* 40.]

November 22. No. 2. Referring to my telegram to-day, No. 1,* Ministers ask me to point out that Ram Sunder Pundit only entered Transvaal for first time on 1st March, 1906, when he was granted a temporary authorisation to enter Transvaal on distinct understanding that he would leave Transvaal on expiration of any temporary permit which might be granted him. He left Transvaal in May, 1906, and in August, 1906, received again a temporary permit to enter Transvaal on same terms as before. This temporary permit was from time to time extended, but its further renewal was eventually refused 30th September last. He has now been sentenced by the Magistrate at Germiston to one month's imprisonment without hard labour because he has refused to leave Transvaal notwithstanding clear terms on which his temporary permit had been granted. All documents follow by mail.—Selborne.

No. 35.

The SECRETARY OF STATE to the GOVERNOR.†

My Lord, Downing Street, November 22, 1907.

I have the honour to transmit to you copies of three telegrams‡ which I have received respecting the imprisonment of an Indian priest named Ram Sunder in the Transvaal.

2. I request you to inform the senders of the telegram from Lourenço Marques that it is impossible for me to interfere with the administration of a law in force in the Transvaal.

I have, &c.,
ELGIN.

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* No. 33.

† A similar despatch was sent to the Governors of the Cape and Natal in reply to Nos. 30 and 32.

‡ No. 29, 30 and 32.

No. 36.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 5.55 p.m., November 27, 1907.)

TELEGRAM.

[*Answered by No.* 39.]

November 27. No. 1. Your despatch, 9th September.* The Immigrants Restriction Act, provisions of which are in some respects unusual, has received very careful consideration from His Majesty's Government. They note with some regret that your Ministers have not been content to rely on an education test for exclusion of undesirables and that practical effect of Section 2, Sub-section 4 will be to exclude all Asiatics, irrespective of their personal qualifications. In view of the past history of this question and the special circumstances of the Transvaal, they are nevertheless prepared to accept this provision, in the hope that exclusion of further Asiatic immigration will result in more favourable treatment of Asiatics now lawfully resident in the Colony. They assume that grant of temporary permits under Asiatic Law Amendment Act, Section 17, will not be discontinued, and they desire from your Ministers specific assurance that there is no intention of refusing access as visitors to ruling Chiefs, Indians of distinguished position, or high officials of Asiatic descent.

By Section 6, Sub-section b, powers of expulsion of an unusually wide and unrestricted character applicable to foreigners and British subjects alike are conferred on the Executive. His Majesty's Government believe that no precedent for such powers exists in the legislation of any responsibly-governed dominion. Even the Peace Preservation Ordinance, passed under abnormal circumstances after prolonged war, does not confer actual power of expulsion. The exercise of such power by executive without intervention of judicial authorities is liable, in cases of subjects of foreign Powers, to give rise to very serious difficulties and, in case of British subjects, is contrary to traditional principles of policy. His Majesty's Government feel that these considerations have probably not been fully brought home to your Ministers, and hope that they will be prepared on reflection to put some limit on power conferred by this sub-section on the Executive. They ask for assurance that legislation will be introduced limiting this power to persons convicted of some offence, or at any rate providing means by which any such order may be brought before Courts for confirmation or discharge, and that your Ministers will refrain from exercising this power pending such legislation.

His Majesty's Government accept with some reluctance provisions of Section 6, Sub-section *c*, but they feel sure that discrimination will be exercised by your Ministers in employment of the powers conferred.

If your Ministers can given the two specific assurances asked for His Majesty will not be advised to disallow the Act.—ELGIN.

No. 37.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 30, 1907.)

MY LORD, Governor's Office, Johannesburg, November 11, 1907.

WITH reference to the Deputy Governor's despatch of the 16th September† I have the honour to enclose, for your information, a copy of a Minute from the Colonial Secretary on the subject of the administration of the Asiatic Law Amendment Act, 1907.

I have, &c.,
SELBORNE,
Governor.

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* No. 18.

† No. 19.

Enclosure in No. 37.

COLONIAL SECRETARY, Pretoria, to GOVERNOR.

MEMORANDUM *re* the Registration of Asiatics in the Transvaal under Act 2 of 1907.

On the 11th of September, 1907, Minute No. 472* was addressed to His Excellency the Governor by the Prime Minister in reply to the Secretary of State's telegram, No. 1, of the 16th of August,† in which it was asked that, in view of press telegrams stating that the British-Indian community had generally refused to comply with the requirements of the Asiatic Law Amendment Act, 1907, the Imperial Government should be kept informed as to any action which Ministers might think it proper to take in pursuance of the Act. Ministers suggested that the Secretary of State for the Colonies be informed that a section of the Asiatic population of the Transvaal had organised a campaign of resistance against the provisions of the Registration Act and by threats had prevented other members of the community from making application; that numerous affidavits had been submitted by Indians showing that they desired registration, but had been prevented from making application owing to the hostile action of their compatriots; while others, actually registered, had applied for police protection on the grounds that their persons and property were in danger.

2. The regulations framed under the Act in question came into operation on the 1st of July, and objections were raised against them by both the Indian and Chinese communities, principally on the grounds that they included the requirement of furnishing 10 finger impressions, and requests were made from time to time that the regulations in this and certain other respects might be modified. Messrs. Stegmann, Esselen, and Roos, a leading firm of Solicitors in Pretoria, approached the Colonial Secretary at the request of certain leading Indians of Pretoria, Standerton, Pietersburg, and Middelburg, asking that the regulations might be modified in certain defined directions, namely:—

(i.) That special Inspectors should be appointed for the duty of examining registration certificates instead of the work devolving upon the police generally, and that the production of certificates should not be demanded in the streets except in the cases of suspicion or crime.

(ii.) That applicants for trading licences should only appear in person on the occasion of the first application, and that subsequently the renewals of licences should be made on written application.

(iii.) That Indian clerks, with special qualifications, might be imported under indenture for employment by Asiatic storekeepers under permits issued for temporary periods.

(iv.) That an assurance be given that children should not be removed from their parents or guardians for the purpose of repatriation, and that no particulars be asked for in respect to registration, except in the case of minors under 16 years of age.

(v.) That a differentiation be made between educated and uneducated Asiatics so that the former, in place of giving their finger impressions, should only sign their names.

The writers were informed:—

(i.) That the Government was prepared to accede to their request that, except in cases of suspicion, crime, or other urgency, only specially selected officers should be empowered to call for the production of certificates of registration, and to instruct the officers that such production should not be demanded in the public streets, and, further, that the officers appointed would be white persons.

(ii.) That licences would be issued on the presentation by its lawful holder of a certificate of registration, and that revenue clerks would not be empowered to investigate the *bonâ fides* of applicants, all that would be required from the applicant in this respect being a single impression of his right-hand thumb, which impression would be subsequently forwarded for verification to the Registrar of Asiatics, and that, when found correct, no further investigation or action would be undertaken.

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* Enclosure in No. 19.

† No. 16.

(iii.) That with regard to the proposed importation under indenture of Asiatic clerks, such immigration of persons not entitled to registration could not be permitted.

(iv.) That there was no intention whatever of removing children from the care of their parents or guardians, and that no order would be made to leave the Colony in respect of any Asiatic under the age of 16 years, but that the requirement that parents and guardians should, on making application for registration, supply particulars of their male children and wards, must be adhered to.

(v.) That, with the exception of persons described under paragraph (1) of Section 2 of the Act as being specially exempted from its provisions, it was regretted that it was not possible to declare that any other Asiatics would be exempted from the requirement of furnishing their finger impressions.

3. The decision that the furnishing of 10 finger impressions was necessary as a complete system of identification of the class of Asiatics resident in the Transvaal was only arrived at after long and patient investigation and in view of the numerous frauds systematically perpetrated by Asiatics in respect to permits bearing only a single impression, and, further, having regard to the fact that in certain cases heard against Asiatics in the Courts of Law, Magistrates had refused to accept a single thumb impression as sufficient evidence of identification and had discharged the accused, remarking that a mistake might have arisen when recording a single impression.

4. On the 31st May, 1907, a note* on the illicit ingress of Asiatics into the Transvaal, compiled by the Registrar of Asiatics, was forwarded to the Private Secretary to His Excellency the Governor. This note, consisting of 19 pages of writing, detailed the particulars of nearly 100 notorious illustrations of how the Immigration Regulations were evaded by Asiatics.

5. On the 10th July, 1907, Mr. Lew Yuk Ling, Chinese Consul-General at Johannesburg, informed the Government that, while the Chinese community had no desire to evade the law, they felt the requirement of publicly furnishing 10 finger impressions to be a grave indignity, and he suggested that the 1,200 Chinese residing in the Transvaal should have their impressions taken at the Chinese Consulate in Johannesburg. He added that, if this suggestion were adopted, he had no doubt that very little difficulty would be experienced and that the feeling of repugnance felt by respectable Chinamen would be more or less eliminated. This suggestion was adopted and the Consul expressed his warm thanks in writing. Nevertheless, it is greatly to be regretted, the concessions conceded by the Government appear to have been completely misunderstood and accepted in a wrong sense.

6. The Indians, headed by the lawyer Gandhi and certain other agitators, seem to think any concessions made to be a symptom of weakness, and, emboldened by the fact that the penal provisions of the new legislation have not been so far enforced, they have now repudiated their former objections and have presented a numerously-signed petition in which it is stated that nothing short of the total repeal of the Act will meet the situation, while the Chinese have, generally speaking, failed to apply for registration at the Consulate or anywhere else. Further, Messrs. Stegmann, Esselen, and Roos, writing on the 12th October, state that their clients have instructed them to say that Gandhi, having represented to them that they were damaging the general cause by communicating with the Government, they desired, under the circumstances, to withdraw the requests for amelioration previously made and leave the Government at liberty to withdraw such concessions as they were prepared to make.

7. From this it will be seen that there was no intention on the part of the Government to make the regulations more severe than was absolutely required by the facts. Had it been possible, differentiation would have been made between educated and uneducated persons, but there are very few of the former in the Transvaal, and any attempt to draw a line of demarcation between the two classes would have raised endless difficulties and jealousies, especially as some of the richest and most respectable traders are more or less illiterate.

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* See pages 4–21.

8. The Registration Officers have been instructed to show every possible consideration and to give every assistance to those Asiatics who desire to comply with the law and, as a matter of fact, out of 409 applications made, 392 have been decided upon, of which 383, or 97½ per cent., have been approved, and only nine, or 2½ per cent., refused.

Further, although the period within which Asiatics were required to make their applications expired on the 31st ultimo, the Government has decided, as an act of grace, to extend such period for the space of one month.

9. It may be added that a case has just occurred showing the importance and, indeed, necessity of obtaining the 10 digit impressions of the class of Asiatics whom we have to deal with in the Transvaal and who think little or nothing of changing their names with the object of hoodwinking the Registration Officers. On the 31st ultimo, a Chinese, calling himself Kim Sin, applied for registration under the Asiatic Law Amendment Act, 1907, and produced, in support of his claim, a permit issued under the Peace Preservation Ordinance in the name of Kim Sin. The thumb impression endorsed upon this document had been tampered with and rendered illegible, but, on the classification of his 10 imprints, it was found, after comparing the index number representing them with the different indices recorded in the Asiatic "Undesirable" file, that the applicant was identical with one Foo Kim Kive, alias Choo Fong, who had been convicted by a Magistrate of being in the Transvaal without lawful authority and ordered to leave it before 7 p.m. on the 9th of July, 1906. This Chinese, who was impersonating Kim Sin, can now be proceeded against under Section 7 of Ordinance 5 of 1903, and Section 16, sub-section (1), of Act 2 of 1907.

J. C. Smuts.

Colonial Secretary's Office,
Pretoria,
November 11, 1907.

No. 38.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received December 3, 1907.)

[*Answered by No.* 44.]

Sir, Foreign Office, December 2, 1907.

I am directed by Secretary Sir E. Grey to transmit to you, to be laid before the Secretary of State for the Colonies, a copy of a note from the Chinese Minister respecting the Asiatic Law Amendment Act of 1907, in regard to which verbal representations were made at this Department by the Chinese Legation on the 22nd ultimo.

The Earl of Elgin will observe that Li Ching Fong complains that, in order to be registered in conformity with the Act, every Chinese is required to give 18 finger prints. He remarks that such a requirement is insisted upon only in dealing with habitual criminals, and asks that this part of the Act may be suspended.

I am to draw Lord Elgin's attention to Section 4 of His Lordship's despatch to the Governor of the Transvaal of May 9th last,* in which it is stated that General Botha, when in London, undertook to endeavour to provide for the adoption of a method of identification other than that of finger prints.

I am to enquire what reply Lord Elgin would wish returned to Li Ching Fong's representations on this subject.

I am, &c.,
W. LANGLEY.

Enclosure in No. 38.

Li Ching Fong to Sir E. Grey.

Your Excellency, Chinese Legation, November 25, 1907.

I much regret to inaugurate my mission by addressing you on a matter which has been the subject of correspondence between my predecessor and Your Excellency on November 1st, 1906, and March 26th of this year. I am alluding to the Asiatic Law Amendment Act which was passed by the Transvaal Government for the control of the Chinese lawfully resident in that part of His British Majesty's dominions.

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* No. 7.

Under this Act every Chinese is required to take out a new registration certificate in place of the documents already held by him, and in order to get such a certificate he is required to give 18 finger prints, which I think Your Excellency will agree with me in stigmatizing as an offensive and humiliating requirement which is insisted upon only in dealing with habitual criminals.

Under the Sub-section 3 of Section VIII. the Act further provides that if any Asiatic fails, on demand, to produce the certificate of registration after a certain date, he may be arrested without warrant, and will be refused his application for a trade licence.

This will certainly subject the Chinese community, now lawfully carrying on their trade in the Transvaal, to great hardships which will naturally follow such procedure on the part of the local authorities, apart from the great indignities to which any person who has any sense of self-respect will never willingly allow himself to submit.

According to the principle of British jurisprudence, everyone is presumed to be innocent unless he is proved to be otherwise. That being so, the Asiatic Law Amendment Act is in contravention of this very principle which is so much valued in this country.

Under these circumstances, I have the honour to request Your Excellency to urge the proper authorities to suspend the operation of such part of the said Act, which is understood to come into force on the 30th instant, and to devise such other measures as would be acceptable to the Chinese community for the purpose of their identification in which they will give their cordial co-operation.

I have, &c.,
LI CHING FONG.

The Right Honourable
Sir Edward Grey, Bart., M.P.,
&c., &c., &c.

No. 39.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 3.6 p.m., December 3, 1907.)

TELEGRAM.

[*Answered by No.* 49.]

December 3. No. 1. Your telegram, No. 1, 27th November.* Ministers intimate that they gladly give His Majesty's Government assurance asked for.

Ministers add, with regard to Section 6(b) that they explained in Parliament that this was an extraordinary power which should be only exercised in the gravest emergencies of State. Ministers understand, however, that this extraordinary power of expulsion under this sub-section may be capable of abuse, and should be limited in the way proposed by His Majesty's Government or should be abolished altogether, and they undertake to introduce legislation necessary for purpose and to abstain from making use of this power of expulsion in the meantime.

May Act now be brought into force?—SELBORNE.

No. 40.

THE SECRETARY OF STATE to THE GOVERNOR.

MY LORD, Downing Street, December 3, 1907.

I HAVE the honour to acknowledge the receipt of your telegram of the 22nd of November, No. 1,† communicating the terms of a resolution, passed at a mass meeting of British Indians at Germiston, on the subject of the imprisonment of Ram Sunder, Pundit, and of your telegram, No. 2, of the same date,* containing your Ministers' explanation of the circumstances of the case.

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* No. 36. † No. 33.

2. I have laid the resolution before His Majesty, who has commanded me to request you to inform the British Indians that he is unable to interfere with the administration of a law in force in the Transvaal.

I have, &c.,
ELGIN.

No. 41.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received December 5, 1907.)

[*Answered by No.* 44.]

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies, and, by direction of the Secretary of State, transmits herewith copy of a despatch to His Majesty's Minister at Peking on the subject of Chinese residents in the Transvaal.

Foreign Office,
December 4, 1907.

Enclosure in No. 41.

Sir E. GREY to Sir J. N. JORDAN.

(Extract.)

Foreign Office, November 27, 1907.

THE Chinese Minister spoke to me to-day about the new regulations in the Transvaal dealing with Orientals.

He urged that they were very unfair to Chinamen who had been in the country for some time; it was not as if they were going to be applied to newcomers only. He pressed me very much to secure that the regulations should be suspended and not come into force without further discussion. Such treatment of the Chinese would very adversely affect the attitude of Chinamen in China, and would increase difficulties with us.

I said I would make enquiries at the Colonial Office. Though I was not familiar with these regulations I believed that they applied to Indians, who were British subjects, as well as to Chinese. The Transvaal was now a self-governing Colony, and we could not interfere with its discretion as regards matters in its own territory.

No. 42.

COLONIAL OFFICE to FOREIGN OFFICE.†

[*Answered by No.* 48.]

SIR, Downing Street, December 10, 1907.

WITH reference to the letter from the Foreign Office of the 14th November,‡ I am directed by the Earl of Elgin to transmit to you, to be laid before Secretary Sir E. Grey, a copy of telegraphic correspondence§ with the Governor of the Transvaal on the subject of the Immigrants Restriction Act.

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* No. 34

† A similar letter was sent to the India Office; See No. 45 in reply.

‡ No. 28.

§ Nos. 36 and 39.

Lord Elgin proposes to inform the Governor by telegram that he is at liberty to issue the proclamation declaring that His Majesty will not be advised to exercise his power of disallowance with regard to this Act, which will bring it into operation. His Lordship would be glad to be informed at an early date whether Sir E. Grey concurs in this course.

I am, &c.,
H. W. JUST.

No. 43.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received December 11, 1907.)

The Under-Secretary of State for Foreign Affairs presents his compliments to the Under-Secretary of State for the Colonies, and by direction of the Secretary of State, transmits herewith copy of a despatch to His Majesty's Minister at Peking on the subject of Chinese residents in the Transvaal.

Foreign Office,
December 10, 1907.

Enclosure in No. .

FOREIGN OFFICE to HIS MAJESTY'S MINISTER, Peking.

SIR,

Foreign Office, December 4, 1907.

I TOLD the Chinese Minister to-day that I had not yet had the official reply of the Colonial Office as to the Transvaal Regulations dealing with Orientals. But I found that similar objections had been made on behalf of Indians who were British subjects, and we could not ask the Transvaal Government to do for Chinese what they were not going to do for British subjects.

The Chinese Minister said he had been reflecting upon the matter. He had come to the conclusion that the fair thing for the Transvaal to do would be to come to some arrangement, through us, with the Chinese Government by which the Chinese already in the Transvaal should be returned to China by a certain date. He thought there were only about a thousand Chinese in the Transvaal altogether, but some of them were well-to-do merchants and people of good standing. Those Chinese who wished to stay beyond the specified date would, of course, have to remain subject to the new Regulations.

He thought it would be preferable that the Transvaal Government should say plainly that they did not want to have Chinese in their country, and should pay some compensation to those who were already there and would rather return home than submit to the new Regulations. The Transvaal Government could then refuse to admit any new Chinese, and would be able to deal with such Chinese as did remain of their own free-will according to the Regulations.

I pointed out that, though there might be only a thousand Chinese, there might be more British Indians, some of whom were also merchants of high standing: and we could not do for the Chinese what we were not prepared to do for British Indians.

The Chinese Minister observed that when Englishmen suffered injury in China they received compensation, though China did not compensate her own subjects when they suffered similar injury. He did not see why the same rule should not apply in the Transvaal, and why Chinese who resided in British territory should not be treated as well as Englishmen, Scotsmen, and Irishmen were treated in China.

I reminded him that in England, Scotland and Ireland and also in such colonies as Singapore, Chinese received perfectly equal treatment with others. But it was impossible for us to ask the Transvaal Government to do for the Chinese what we were not asking them to do for the British Indians.

As to making some definite arrangement with China such as the Minister had suggested, the question of the Chinese in the Transvaal had not been brought before me till the Regulations were on the point of coming into operation. Even now I had not received an official reply from the Colonial Office, and I could only put his observations before them.

I am, &c.,
W. Langley,
for the Secretary of State.

Sir J. Jordan, K.C.M.G.,
&c., &c., &c.

No. 44.

COLONIAL OFFICE to FOREIGN OFFICE.

Sir, Downing Street, December 11, 1907.

I am directed by the Earl of Elgin to acknowledge the receipt of your letter of the 2nd of December* enclosing a copy of a note from the Chinese Minister respecting the position of Chinese resident in the Transvaal and not subject to the Labour Importation Laws in respect of the regulations made by the Transvaal Government under the Asiatic Law Amendment Act of 1907. I am also to acknowledge the receipt of your letter of the 4th of December,† enclosing a copy of a despatch to His Majesty's Minister at Peking, which contains the substance of what passed at an interview with the Chinese Minister on the 27th of November on the same subject.

2. I am to say that Lord Elgin fears that it would be useless to address representations to the Transvaal Government at the present time in the sense desired by the Chinese Minister. The despatch‡ from the Governor of the Transvaal and Minute of Ministers of which copies are enclosed appear to his Lordship to afford sufficient materials for an answer to the Chinese Minister, and the Secretary of State for Foreign Affairs will no doubt think it proper in this answer to lay stress upon the fact that His Majesty's Government have acquiesced in the Asiatic Law Amendment Act, though it applies to British Indian residents in the Transvaal who very largely exceed in numbers the Chinese residents in respect of whom the present representations are made.

I am, &c.,
H. W. JUST.

No. 45.

INDIA OFFICE to COLONIAL OFFICE.

(Received December 14, 1907.)

Sir, India Office, Whitehall, December 13, 1907.

I am directed by Mr. Secretary Morley, with reference to Mr. Just's letter of the 10th instant,§ on the subject of the Transvaal Immigration Restriction Act, to ask that Lord Elgin may be informed that he has learned with satisfaction that the Colonial Ministers have given the desired assurance as to the admission to the Colony of Indian visitors of distinguished position. Mr. Morley trusts that Lord Elgin's hope that the exclusion of further Asiatic immigration will result in the more favourable treatment of Asiatic residents in the Transvaal may be justified. In view of the previous history of the question, Mr. Morley is alive to the difficulties in the way of His Majesty's Government refusing to allow the Act to pass into operation.

I have, &c.,
A. GODLEY.

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* No. 38. † No. 41. ‡ No. 37. § See No. 42.

No. 46.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 14, 1907.)

MY LORD, Governor's Office, Johannesburg, November 25, 1907.

WITH reference to my telegrams of 22nd November, Nos. 1 and 2,* I have the honour to enclose, for your information, a copy of the undermentioned documents on the subject of the case of Ram Sunder, Pundit.

I have, &c.,
SELBORNE,
Governor.

SCHEDULE OF ENCLOSURES.

1. Extract from "Transvaal Leader." November 15.
2. Letter from Chairman, Mass Meeting and British Indian Association (with enclosure). November 15.
3. Letter to Chairman, Mass Meeting and British Indian Association. November 18.
4. Minute to Ministers. November 18.
5. Minute from Ministers. November 19.
6. Letter from Honorary Secretary, British Indian Association. November 19.
7. Letter to Chairman, Mass Meeting and British Indian Association. November 22.
8. Minute to Ministers. November 22.

Enclosure 1 in No. 46.

"TRANSVAAL LEADER," November 15th, 1907.

ASIATIC LAW.

THE GERMISTON CASE.

HINDU PRIEST IN COURT.

ONE MONTH'S IMPRISONMENT.

(From Our Resident Reporter.)

Germiston, Thursday.

Ram Sunder Pundit appeared on remand before Mr. C. C. Gilfillan, A.R.M., at Germiston to-day, on a charge of contravening Section 17 (1) of Act 2 of 1907, in that, between the 30th September and 8th November, 1907, he wrongfully and unlawfully did enter and remain in the Transvaal Colony after the expiration of a temporary permit issued to him by the Colonial Secretary, which expired on the 30th September, 1907, the said Ram Sunder Pundit not being authorised to be in the Transvaal.

The Court was crowded with Europeans and Indians interested in the case, and about 300 Indians remained outside the Court.

Mr. T. M. Doran, Public Prosecutor, conducted the prosecution; and Mr. Gandhi appeared for the accused, who pleaded not guilty.

Detective Benjamin Millar stated he arrested the accused at Germiston, on the 8th inst., on a charge of being in the Transvaal without a permit. The accused said he had a temporary permit, and had applied to the Colonial Secretary for a renewal, but they sent him a reply that he did not expect. Witness had noticed him at Germiston during the last three months.

Montfort Chamney, Registrar of Asiatics in the Transvaal, said that a temporary permit was issued to the accused on the 22nd March, 1906. Subsequently he went to Natal, and a temporary permit was issued to him on the 20th September, 1906, for a period of two monnths. The accused applied for and obtained extensions up to the 30th September, 1907. He had entered into obligations in writing that he would leave the Colony whenever requested to do so, and on this condition the temporary permits were granted. (Witness here produced the document in question.) After the expiration of the permit it was necessary he should leave the Transvaal. Witness refused to renew the permit, and notified the accused that he must leave the Colony. Mr. Gandhi wrote in reply, enclosing a letter from the accused, stating that he could not obey the order, much as he should like to do so, as he had to remain to perform his religious duties, there being no one to take his place, and he was quite prepared to suffer the consequences of his disobedience.

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* Nos. 33 and 34.

Cross-examined by Mr. Gandhi, the witness said that the date of the accused's undertaking was the 28th August, 1906, since when several extensions of his permit had been granted, because witness was assured, and believed, that the accused was only here to pursue the office in respect of which he was allowed to remain in the Colony.

Have you any reason to doubt that he is, and has continued to be, a priest?—There are priests and priests, and priests preach. Whether a priest is a Christian, Mahomedan, Hindu, or belongs to any other persuasion, I consider he is a desirable, so long as he continues to preach his doctrine; but when he preaches other doctrines—I will not say sedition—and resorts to methods for inciting his people to violence, he becomes a person other than the one I understood I was allowing to enter this Colony.

The Accused's Preaching.

Have you any proof that he has preached anything but his religious doctrine?—I believe he has, and it is because of that belief that I refused to renew the permit.

You say you believe he has acted other than as a priest?—I did not say that.

You have just said that you had grounds for believing that he was preaching other than religious doctrines. Have you sufficient grounds for that belief?—I have had complaints both from white and coloured people.

Have you ever warned him with reference to these complaints?—Certainly not.

When did you receive the complaints?—I cannot remember the exact dates, but it was in respect of the registration of Asiatics.

Can you produce the complaints?—I certainly will not.

Here the Magistrate interposed, and Mr. Gandhi explained that the allegation of sedition affected the case very closely, as it was a serious matter to bring a charge of sedition against his client.

The Magistrate said that the matter of sedition would not affect the case materially.

Mr. Gandhi asked, in justice to his client, that the complainants referred to be produced.

The Magistrate expressed a hope that Mr. Gandhi would not burden the records with too much evidence.

Mr. Gandhi replied that he only wanted to put before the Court the bare facts, and then proceeded with his cross-examination of Mr. Chamney.

Then, Mr. Chamney, you positively decline to produce the complainants?—I positively decline to disclose to you the names of the persons who have complained.

In response to the request made by Mr. Gandhi, the witness produced a petition, dated the 28th September last, which he had received from the Indians of Germiston, asking him to extend the accused's permit, which was about to expire, and stating that the accused devoted himself solely to the work of the temple and his religious duties.

You did not consider that petition to be sufficient inducement to extend the permit?—No, I did not, in view of the reports I had in my possession.

You admit the accused bought the Hindu Temple at Germiston?—I don't know anything about it. He came on a few weeks' permit, and we extended that permit for over a year, and I don't know what he did.

And you would probably have extended to the end of all time but for this new Act?—Very probably.

When you talk of "sedition," what do you mean?—I specially said that I did not refer to sedition.

Then what did you mean by your reference to his departure from his religious duties. Did you mean his preaching to the people not to submit to the Registration Act?—I cannot answer hypothetical questions.

You know he has preached against submission to the Asiatic Act. Has that been an ingredient?—The answer is "Yes," but I qualify it.

Here an explanation was given to the Bench.

Have Mahomedan priests received extensions of their permits?—Yes, and Christians and others too.

You mean Asiatics?—When I speak of Christians, you must understand, Mr. Gandhi, that I mean Assyrians.

The Magistrate remarked that it was not so much a question of what Mr. Gandhi understood, but of what the Court understood.

Mr. Chamney's Methods.

The witness explained that when a priest applied for a permit to enter the Transvaal to preach the Gospel, he (witness) never put any difficulties in his way; but Assyrians and Mahomedans came in such numbers than he had been requested to restrict the granting of permits. The Government had no objection to grant temporary permits to such priests, provided they carried out the conditions under which they were granted.

Have you received any complaint about him from the Germiston Indians?—I understand by "Germiston Indians" you mean the Indians of Germiston?—Yes.—Then I have.

Have you investigated the complaints?—Certainly.

Have you ever heard the accused in answer to these complaints?—No, certainly not.

So that you have condemned him unheard?—I have got his letter. Do not forget that!

Then produce it.—I have already done so.

But that letter is not in answer to any complaints?—I did not say it was.

Then it is as I say, you have condemned him unheard?—I allowed him to enter the Transvaal under certain conditions which he has failed to carry out.

Have you ever informed him of that?—I tell him now.

After he is hanged?—No, not after he is hanged. I do not like that remark.

The witness then read a letter, dated the 9th October last, which he had written to the accused, notifying him that he must leave the Colony immediately.

Mr. Gandhi: That does not answer my question at all.—It is my answer.

This closed the case for the prosecution.

The Defence.

Imam Abdul Kadir, called for the defence, said he resided at Johannesburg, and was vice-president of the Hamidia Islam Society, which was a Mahomedan body. The accused had often attended the meetings of that Society, which had led the battle against the Asiatic Act, and it consisted simply in not submitting to the law and suffering the consequences. Strong religious exception had been taken to the Act. The accused's attitude had not been any worse or any stronger than that of witness or any other member of the Society. The whole of the community—both Hindus and Mahomedans—felt very bitterly about the prosecution of the accused.

Lal Baha Dur Sing, president of the Hindu congregation in Germiston, said the accused had never done anything but religious work. He had preached against the Asiatic Act purely on religious grounds, because it was against their religious scruples.

By the Public Prosecutor: The accused had not had anything to do with the pickets?

Mr. Gandhi: I admit he was chief picket.

The question having been explained to the witness, he admitted that the accused had been chief picket.

Public Prosecutor: Did he assault one of the men in connection with the Registration Act?—No; the accused spoke to him in order to persuade him against registering, but the man was obstinate, and the accused then took him to the registration office to be registered.

Continuing, the witness denied that the man had to seek police protection. The temple at Germiston was purchased by the accused about six months ago for the Hindu congregation, and was attended by all the Hindus. The accused intended to stay in the temple permanently.

The Magistrate: What is the objection you had from a religious point of view to registering?—It is bad for religion, but I cannot explain this matter as well as the accused can.

The accused said he had been in South Africa for about 9½ years, and came to South Africa as a preacher of religion. There was no truth in Mr. Chamney's statements regarding complaints having been made against him (accused). Mr. Chamney had never brought any complaints to his notice, and Mr. Chamney liked him very much. (Laughter.) Witness had never been brought before that or any other court of law for assault. He had not assaulted any Indian while the registration office was open at Germiston. He wrote to Mr. Chamney after he was informed by that gentleman that he could not reside in the Colony. That letter correctly represented his feelings in refusing to leave the Colony. He was a British subject. He had organised a picket at Germiston, and had done so from religious motives. The picket were instructed not to use any violence, and he was always with them to see that they did not do so. He purchased the temple for £50 10s., and subsequently built extensions costing £100. He would rather suffer imprisonment on account of his religion than leave the Colony, and was quite prepared to die for his religion.

Cross-examined, he said that when he came to the Transvaal he found that his people were without a priest, and he determined to stay in the Colony permanently. He did not remember exactly what undertaking he had given Mr. Chamney in August, 1906, and did not then ask for a permanent permit, as he expected the temporary permit would be extended from time to time. He might have applied for a permanent permit, but did not remember having done so. He understood that the Government was bound to give him a permit. He had no intention to leave the Colony, because there was no one to look after his religion. The religious objection he had to registration was that their religion prohibited their giving their wives' names, and he objected to giving impressions of his ten fingers. He had given the impression of one finger when he had received the first permit, but had not given those of his ten fingers.

By the Court: He had sworn not to submit to the Ordinance, for if he registered he would be disloyal to the Government and faithless to his God.

This closed the case for the defence.

Summing-Up.

The Magistrate, in summing-up, said that he must congratulate Mr. Gandhi on his address, which in many respects was very able. He had admitted that, as his client stood to-day, a conviction was bound to follow, but asked for an expression of opinion—and a strong one—from the Bench as to the administration of the law. While a great deal of sympathy was always extended to persons who had to suffer for acts performed from a purely religious point of view, he (the Magistrate) was afraid that the Court was unable to criticise the law, and had only to administer it as it was placed before the Court. Whether the Registrar of Asiatics had been right or wrong in his reasons for refusing the renewal of the permit did not lie with that Court. The duty of the Court was to take the case simply as it was presented in connection with the law on the subject, and deal with it in accordance with the evidence. The accused was therefore found guilty, and the minimum punishment he (the Magistrate) was able to inflict would be dealt out to him on this occasion. The sentence was one month's imprisonment without hard labour.

Before leaving the Court the accused shook hands with those of his compatriots present, and when he left the Court in custody he was greeted with loud cheers by the Indians who had assembled outside.

A mass meeting was subsequently held, Mr. Gandhi and several other speakers addressing the audience, and it was resolved that no business be transacted to-morrow (Friday) by the Indian community, in token of their sympathy with the accused. It was also resolved that a cable be dispatched to His Majesty the King, in reference to the new Ordinance and the imprisonment of Ram Sunder Pundit, asking that protection be given to His Majesty's Indian subjects in the Transvaal.

A JOINT PROTEST.

Subsequent to the proceedings in regard to the Hindu priest at Germiston, a mass meeting of British Indians was held, at which a resolution of protest was passed, and it was decided to cable that protest to the Imperial Government.

By way of further protest all the Indian stores in the Transvaal and Natal will be closed to-day.

Enclosure 2 in No. 46.

BRITISH INDIAN ASSOCIATION to HIGH COMMISSIONER.

British Indian Association,
P.O. Box 6522, Johannesburg, November 15, 1907.

SIR,

I HAVE the honour to enclose herewith a certified copy of the resolution, passed unanimously at an impromptu mass meeting held in Germiston yesterday at the conclusion of the trial of the Hindu priest Ram Sundar Pundit. I am instructed to request you, on behalf of British Indians in the Transvaal, whose interest are especially under Your Excellency's charge, to transmit by cablegram the resolution referred to to the Right Honourable the Secretary of State for the Colonies, with a copy to the Right Honourable the Secretary of State for India, through whom a copy may be transmitted to the Viceroy of India.

I have, &c.,
ESSOP ISMAIL MIA,
Chairman, Mass Meeting, and
British Indian Association.

His Excellency
The High Commissioner,
Johannesburg.

Impromptu mass meeting, British Indians, held Germiston after sentence against Ram Sundar Pundit, only Hindu priest, under Asiatic Registration Act, resolved approach His Majesty King-Emperor grant protection against oppression under which innocent Indians groaning. Pandit has preferred gaol to sacrifice of principle. Thousands ready do likewise.

ESSOP ISMAIL MIA,
Chairman, Mass Meeting.

November 15, 1907.

Enclosure 3 in No. 46.

ASSISTANT PRIVATE SECRETARY TO GOVERNOR, Transvaal, to BRITISH INDIAN ASSOCIATION.

Governor's Office, Johannesburg, November 18, 1907.

SIR,

I AM desired by His Excellency Lord Selborne to acknowledge the receipt of your letter, dated the 15th of November, enclosing a draft of a telegram which you request shall be forwarded to the Secretary of State for the Colonies.

His Excellency directs me to inform you that he is prepared to send the abovementioned telegram by cable when he receives an assurance from your Association that they are prepared to conform to the standing rule and pay for the cost of the cablegram. If your Association are not prepared to do this, your draft will be forwarded to the Secretary of State by mail in the usual way.

I am, &c.,
J. C. LYTTELTON,
Assistant Private Secretary.

The Chairman,
Mass Meeting and British Indian Association,
Box 6522, Johannesburg.

Enclosure 4 in No. 46.

GOVERNOR, Transvaal, to MINISTERS.

(Minute.)

Governor's Office, Johannesburg, November 18, 1907.

The Governor has the honour to forward, for the consideration of Ministers, a copy of a draft cablegram submitted to him for transmission to the Secretary of State for the Colonies by the Chairman of the British Indian Association. Before transmitting it, the Governor would be glad to ascertain what message Ministers would desire to send to the Secretary of State to accompany the cablegram. The Governor has addressed a minute to the Chairman of the British Indian Association asking whether they are prepared to pay for the cost of the cablegram, as, if not, it will be sent by mail. But, in view of the probability of the Association being prepared to pay, the Governor requests that any observations which Ministers wish to make upon the cablegram may be forwarded to him in time to reach him by Tuesday night, November 19th.

SELBORNE,
Governor.

Enclosure 5 in No. 46.

MINISTERS to GOVERNOR, Transvaal.

(Minute 624.)

Prime Minister's Office, Pretoria, November 19, 1907.

WITH reference to His Excellency the Governor's minute of the 18th instant enclosing copy of a draft cablegram submitted by the Chairman of the British Indian Association on the subject of the imprisonment of Indian Ram Sundar Pundit for transmission to the Secretary of State for the Colonies, Ministers have the honour to submit the following observations:—

On the 1st March, 1906, Ram Sundar Pandit was granted a temporary authorisation to enter the Transvaal on the distinct understanding that he would leave the Colony on the expiry of any temporary permit which might be granted to him. On the 22nd idem a temporary permit, available for a period of six weeks, was issued in his favour, and this was subsequently extended on the ground that the holder had not finished the work which had brought him to the Transvaal. In May, 1906, Ram Sundar Pundit returned to Natal, but applied again on the 15th August, 1906, for a renewal of his permit and this was granted on a further undertaking being given by him that he would leave the Transvaal on the expiry of the date of such permit. This temporary permit was made available in the first instance for a period of two months, but the period was subsequently extended on special representations being made on behalf of the priest up to the 30th June and again to the 30th September, 1907.

On the 30th September, 1907, a petition was received from the members of Pundit's congregation praying that his temporary permit might be further extended, but in view of the fact that the priest was at that time taking an active part in the campaign of resistance to the Registration Act by inciting his congregation and had publicly declared himself to be the leader of the pickets at Germiston who were intimidating Indians from registering, it was considered inadvisable to renew the temporary permit. This decision, with the usual request to comply with the terms of the issue of the permit, *i.e.*, to leave the Transvaal, was duly communicated to Pundit. Pundit, however, refused to leave, and legal proceedings were instituted against him under the provisions of Act 2 of 1907, and he was sentenced on the 15th instant by the Assistant Resident Magistrate, Germiston, to one month's imprisonment without hard labour.

LOUIS BOTHA.

Enclosure 6 in No. 46.

BRITISH INDIAN ASSOCIATION to ASSISTANT PRIVATE SECRETARY TO HIGH COMMISSIONER.

British Indian Association,
P.O. Box 6522, Johannesburg, November 19, 1907.

SIR,

WITH reference to your letter, No. 15/6/07, of the 18th instant, I have the honour to inform you that my Association is prepared to bear the cost of the cable.

I have, &c.,
M. K. GANDHI, Honorary Secretary,
British Indian Association.

The Assistant Private Secretary to
His Excellency the High Commissioner,
Johannesburg.

Enclosure 7 in No. 46.

ASSISTANT PRIVATE SECRETARY TO GOVERNOR, Transvaal, to BRITISH INDIAN ASSOCIATION.

Governor's Office, Johannesburg, November 22, 1907.

SIR,

WITH further reference to your letter of the 15th November, I am desired by His Excellency the Governor of the Transvaal to inform you that, in accordance with your request, he has telegraphed the resolution passed at Germiston to the Secretary of State for the Colonies. He desires me further to direct your attention to the fact that, under the Constitution granted by His Majesty to the Transvaal, he will in all Transvaal matters be guided by the advice of his responsible Ministers, and that his duties to British Indians in the Transvaal are in that respect in no way different to his duties towards all other classes of His Majesty's subjects.

I am, &c.,
J. C. LYTTELTON,
Assistant Private Secretary.

Mr. Essop Ismail Mia,
Chairman, Mass Meeting and British-Indian Association,
Box 6522, Johannesburg.

Enclosure 8 in No. 46.

GOVERNOR, Transvaal, to MINISTERS.

(Minute.)

Governor's Office, Johannesburg, November 22, 1907.

The Governor transmits herewith, for the information of Ministers, with reference to previous correspondence, a copy of the under-mentioned documents on the subject of the case of Ram Sundar Pundit.

SELBORNE,
Governor.

Telegrams, Nos. 1 and 2, to Secretary of State. November 22.
Letter to Chairman, Mass Meeting and British Indian Association. November 22.

No. 47.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 14, 1907.)

MY LORD, Governor's Office, Johannesburg, November 25, 1907.

WITH reference to my despatch of to-day* I have the honour to enclose, for your information, a copy of the undermentioned documents on the subject of the case of Ram Sundar Pundit.

I have, &c.,
SELBORNE,
Governor.

SCHEDULE OF ENCLOSURES.

1. Telegram from South African Indian Association, Cape Town. November 18.
2. Telegram from Secretary, Indian Political Association, Kimberley. November 19.
3. Telegram from Indian Association, Port Elizabeth. November 19.
4. Telegrams in reply to Nos. 1, 2, and 3. November 20.
5. Minute to Ministers. November 22.

Enclosure 1 in No. 47.

SOUTH AFRICAN INDIAN ASSOCIATION, Cape Town, to HIGH COMMISSIONER, Johannesburg.

TELEGRAM.

November 18, 1907. At special meeting held it was resolved by our Association to address Your Excellency as follows:—

Our Association is deeply pained to learn that Transvaal Government has thought it proper under a law un-English and reactionary in character to inflict degrading punishment on a holy and learned man of our race. Association earnestly implores the chief representative of our Emperor in this land to release Pundit, and further, to safeguard, &c., dearest freedom and privileges of our brethren in South Africa, guaranteed by Royal Proclamation.

Enclosure 2 in No. 47.

INDIAN POLITICAL ASSOCIATION, Kimberley, to HIGH COMMISSIONER.

TELEGRAM.

November 19, 1907. Kimberley Indians respectfully protest against arrest and imprisonment Hindoo priest Ram Sundar Pundit, being undue interference of personal liberty and religion of British Indian community, while sympathising in his sacrifice.

Enclosure 3 in No. 47.

INDIAN ASSOCIATION, Port Elizabeth, to LORD SELBORNE, Johannesburg.

TELEGRAM.

November 19, 1907. We respectively (? respectfully) approach you to consider the case of the Indian priest Ram Sundar, and urge the repeal of severe laws directed against our community. We desire to see British justice upheld, and hope our appeal will not be in vain.

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* No. 46.

Enclosure 4 in No. 47.

ASSISTANT PRIVATE SECRETARY, Johannesburg, to (1) INDIAN ASSOCIATION, Port Elizabeth; (2) SECRETARY, Indian Political Association, Kimberley; (3) SOUTH AFRICAN INDIAN ASSOCIATION, Hanover Street, Cape Town.

TELEGRAM.

November 20, 1907. I am directed by His Excellency Lord Selborne to acknowledge the receipt of your telegram regarding case of Ram Sundar Pundit.

Enclosure 5 in No. 47.

GOVERNOR, Transvaal, to MINISTERS.

(Minute. No. 15/6/07.)

Governor's Office, Johannesburg, November 22, 1907.

THE Governor has the honour to forward, for the consideration of Ministers, copies of three telegrams he has received from the Indian Associations at Port Elizabeth, Kimberley, and Cape Town respectively, and to request that they will give him their advice as to what reply he should send to them.

SELBORNE,
Governor.

No. 48.

FOREIGN OFFICE to COLONIAL OFFICE.

(Received December 18, 1907.)

SIR, Foreign Office, December 17, 1907.

I AM directed by Secretary Sir E. Grey to acknowledge the receipt of your letter of the 10th instant,* respecting the Transvaal Immigrants Restriction Act.

I am to state that Sir E. Grey concurs in the proposal of the Secretary of State for the Colonies to inform the Governor of the Transvaal that His Majesty the King will not be advised to exercise his power of disallowance with regard to this Act.

I am, &c.,
W. LANGLEY.

No. 49.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2 p.m., December 19, 1907.)

TELEGRAM.

December 19. No .1. Your telegram of 3rd December, No. 1.† His Majesty will not be advised to exercise his power of disallowance in respect of Act 15 of 1907, and you may issue Proclamation bringing it into operation.—ELGIN.

No. 50.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 5.46 p.m., December 19, 1907.)

TELEGRAM.

December 19. No. 1. My telegrams 3rd December, No. 1,† most anxious to know whether Immigrants Restriction Act can now be brought in force; considerable inconvenience is being experienced owing to inability to proceed under this Act.—SELBORNE.

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* No. 42.

† No. 39.

No. 51.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 21, 1907.)

MY LORD, Governor's Office, Johannesburg, December 2, 1907.

WITH reference to your telegram of 17th October, No. 1,* I have the honour to enclose, for your information, a copy of a minute from Ministers on the subject of the petition of the British Indian Association of the Transvaal against the Immigration Restriction Act, 1907.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 51.

MINISTERS to GOVERNOR.

(Minute. No. 638.)

Prime Minister's Office, Pretoria, November 25, 1907.

With reference to telegram, No. 1, of the 17th ultimo, from the Right Honourable the Secretary of State for the Colonies to His Excellency the Governor, Johannesburg, regarding the Petition of the Chairman of the British Indian Association on the subject of the draft Immigration Restriction Bill,

Ministers have the honour to recommend that the Secretary of State be informed that the Petition is inaccurate where it states that the Asiatic Law Amendment Act, No. 2, of 1907, is insulting and injurious to the self-respect of the Indian community, and that the requirement that educated Indians must comply with its provisions is a wanton insult and an indirect mode of depriving Indians of the benefit of the education clause of the Bill. Neither the Asiatic Law Amendment Act nor the Immigration Restriction Bill is intended, as alleged by the petitioners, to inflict harsh and degrading conditions on Indians lawfully resident in the Transvaal, and it is only when Indians set existing legislation at defiance, and refuse to comply with its provisions, that they become subject to serious disabilities.

LOUIS BOTHA.

No. 52.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 28, 1907.)

MY LORD, Governor's Office, Johannesburg, December 9, 1907.

WITH reference to my telegram of the 3rd December, No. 1,† I have the honour to enclose, for your information, a copy of a Minute from Ministers on the subject of Act No. 15 of 1907.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 52.

MINISTERS to GOVERNOR.

(Minute 651.)

Prime Minister's Office, Pretoria, December 2, 1907.

With reference to His Excellency the Governor's Minute, No. 53/23, dated 29th November, 1907, transmitting a despatch from the Right Honourable the Secretary of State for the Colonies in regard to the Immigration Restriction Act 1907 and asking for certain specific assurances in regard to the administration of the Act before His Majesty is advised not to disallow the Act, Ministers have the honour to intimate that they gladly give His Majesty's Government the assurance asked for.

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* No. 23.

† No. 39.

The question of temporary permits under the Asiatic Law Amendment Act, section seventeen, to the classes mentioned by the Secretary of State, does not call for any further observation. In regard, however, to the power of expulsion under Section 6 (b) of the Immigration Restriction Act of persons deemed dangerous to the peace, order or good government of this Colony, Ministers explained in Parliament during the discussion of the Act that this was an extraordinary power which should only be exercised in the gravest emergencies of State. Ministers understand, however, that this extraordinary power of expulsion under this sub-section may be capable of abuse and should be limited in the way proposed by His Majesty's Government or should be abolished altogether, and undertake to introduce the necessary legislation for the purpose and to abstain from making use of this power of expulsion in the meantime.

Ministers have the honour to request His Excellency to cable the substance of this Minute to the Secretary of State in order that no time may be lost in bringing the Act into force.

No. 53.

[Received through the SOUTH AFRICA BRITISH INDIAN COMMITTEE, December 24, 1907.]

More than a hundred Indian ex-soldiers have addressed the following petition to His Excellency the High Commissioner for South Africa:—

The petition of the undersigned humbly showeth that:

1. Your petitioners are old Indian soldiers, and represent 43 Panjabi Mahomedans, 13 Sikhs, and 54 Pathans.

2. Your petitioners are all British subjects, and were most of them brought to the Colony in connection with the Transport Corps raised at the time of the late war. When your petitioners came to South Africa, they were told by their officers that it would be possible for them, at the end of the war, to settle in any part of South Africa and to receive honourable employment.

3. Some of your petitioners have fought under the British flag during the Chitral Expedition, the Tirah Campaign, and other expeditions.

4. Your petitioners are mostly holders of permits and registration certificates issued to them under the Peace Preservation Ordinance and Law 3 of 1885. Your petitioners are not pre-war residents of the Transvaal, but were granted permits in exchange for discharge certificates issued by their respective officers.

5. With the exception of a few, all are at present without employment, largely because of the struggle against the Asiatic Registration Act. In some cases, their employers have dismissed them for non-registration, and, in other cases, on application for employment, your petitioners have been told that they could get it, if they allowed themselves to be registered under the new Act.

6. In the humble opinion of your petitioners, it is not possible for them to submit to the Asiatic Act, inasmuch as it subjects them to humiliation never experienced by them in India, and reduces them to a state which is incompatible with their self-respect and dignity as soldiers.

7. Your petitioners are quite willing before any officer who may be appointed to give evidence as to their having, as loyal British subjects, served the Empire.

8. Your petitioners cannot return to India and find the wherewithal to support themselves.

9. Your petitioners now venture respectfully to claim Your Excellency's protection in your capacity as High Commissioner and trustee of Imperial interests in South Africa.

10. Your petitioners, therefore, respectfully pray that Your Excellency will be pleased to secure them such relief as may be possible under the circumstances, and for this act of justice and mercy your petitioners shall, as in duty bound, for ever pray.

The following is the petition sent by the subjects of His Highness the Gaekwar now residing in the Transvaal:—

1. Your petitioners are Your Highness's subjects, and have migrated to the Transvaal for earning an honest livelihood.

2. Your petitioners have most of them a large stake in the Transvaal.

3. Your petitioners venture respectfully to draw Your Highness's attention to the Asiatic Law Amendment Act passed by the Transvaal Parliament.

4. As protected British subjects and in common with other British Indians in the Transvaal, Your petitioners have, as perhaps Your Highness may be aware, already approached the Imperial Government.

5. Your petitioners attach hereto copy of the submission made to the Right Honourable the Secretary of State for the Colonies in connection with the Act, wherein are set forth all the objections.

6. As Imperial intervention has been directly refused and as the law in question is considered exceptionally humiliating and insulting, and as your petitioners are bound by a solemn oath not to submit to the Act, they have entered upon what has been termed a passive resistance crusade and have risked the loss of all their belongings. The Local Government have threatened imprisonment, deportation, and other penalties, all which your petitioners consider are bearable and worth suffering in preference to bearing the yoke imposed by the Act above mentioned.

7. In the humble opinion of your petitioners, it will strengthen the hands of the Imperial Government as also the Indian Government and it will encourage your petitioners very greatly to receive Your Highness' sympathy and active intervention.

8. Your petitioners, therefore, respectfully trust that Your Highness will extend to them your protection in any manner that may be considered desirable; and for this act of justice and mercy your petitioners shall, as in duty bound, for ever pray, &c.

November 25, 1907.

No. 54.

SOUTH AFRICA BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received December 31, 1907.)

[*Answered by No.* 56.]

28, Queen Anne's Chambers, Broadway,
Westminster, S.W., December 30, 1907.

SIR,

I AM desired by my Committee to communicate to you the receipt by them of the following cablegram :—

"Johannesburg, December 27, 1907.

> "Gandhi other Indians charged non-registration trial to-morrow. Immigration Act assented. Undue strain Indian loyalty."

2. My Committee conclude therefrom that in spite of the strong reasons urged by them and by the British Indians of South Africa against it, His Majesty's Government have sanctioned the Transvaal Immigrants Restriction Act in its unamended and unmodified form.

3. The unusual promptitude with which the new law has been given rigorous and ready effect by the Transvaal authorities impels my Committee to conclude that the Government of that Colony have construed Imperial sanction of the Act as a direct instruction by the Imperial Government for the wholesale deportation of Transvaal British Indians, a view that would also appear to be reflected in the cablegram received by my Committee.

4. My Committee beg that for the present, and while the necessary appeals to His Majesty's Government and to Parliament are being prepared, the Colonial Secretary will be pleased to cable instructions to the High Commissioner to withhold his sanction from the drastic action the Transvaal Government would appear to be taking on the strength of his sanction of this Act.

I beg, &c.,
L. W. RITCH.

No. 55.

THE HIGH COMMISSIONER FOR SOUTH AFRICA to THE SECRETARY OF STATE.

(Received 2.6 p.m., January 1, 1908.)

TELEGRAM.

January 1. No. 1. I have received the following telegram from Administrator, Southern Rhodesia :—

> December 31. Telegram from Transvaal police states that it is believed 70 Indians have left for this territory and 100 others are expected to leave. We consider these to be undesirables as they have refused to conform with the law of the Colony. If Your Excellency is of that opinion they can be refused admission as prohibited immigrants. I refer to Sub-section 6, Section 2, of Ordinance 10 of 1903.

I have replied to Resident Commissioner, Salisbury, as follows :—

> Tell Administrator of Southern Rhodesia that I applied to Transvaal Government for information on receipt of his telegram of 31st December. In reply I am informed by the Transvaal Government that Indians in question are men of good character who have not complied with Registration Law of Transvaal and who wish to absent themselves at the present moment from the Transvaal but desire to return there later. Tell Administrator of Southern Rhodesia further that I am advised by my legal adviser that Section 2, Sub-section 6, of Southern Rhodesia Ordinance 10 of 1903 vests in him the right of decision of any action to be taken on the information thus officially received from the Transvaal Government.

SELBORNE.

No. 56.

COLONIAL OFFICE to THE SOUTH AFRICA BRITISH INDIAN COMMITTEE.

SIR, Downing Street, January 3, 1908.

I AM directed by the Earl of Elgin to acknowledge the receipt of your letter of the 30th December* respecting the desire of your Committee that no action should be taken under the Transvaal Immigrants Restriction Act, 1907, pending an appeal to His Majesty's Government and the Imperial Parliament.

I am instructed to direct the attention of your Committee to Section 16 of the Act, the terms of which are as follows:—

> "This Act may be cited for all purposes as the Immigrants Restriction Act, 1907, and shall not take effect unless and until the Governor shall proclaim in the 'Gazette' that it is His Majesty's pleasure not to disallow the same and thereafter it shall take effect upon such date as the Governor shall notify by Proclamation."

The Governor of the Transvaal was informed on the 19th December† that His Majesty would not be advised to exercise his power of disallowance in respect of the Act and that he might issue the Proclamation referred to in Section 16, bringing the Act into operation.

Lord Elgin desires me to repudiate the suggestion contained in the third paragraph of your letter that the sanction of His Majesty's Government has been construed by the Transvaal Government as a direct instruction by the Imperial Government for the wholesale deportation of Transvaal British Indians. There is not the slightest pretence for such a suggestion, which is wantonly mischievous and ought not to have been made. All the evidence at the disposal of the Secretary of State goes to show that the Transvaal Government desire to deal with this very difficult matter with delicacy and moderation.

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* No. 54. † No. 49.

His Majesty's Government are in a position to advise the Crown to accept or reject a measure passed by the Parliament of a self-governing Colony. This particular measure was accepted unanimously by the Parliament of the Transvaal, and His Majesty's Government, after consulting the Government of India, though with a reluctance due to their respect for the feelings of Indian subjects of His Majesty and to the very great difficulty of the situation, was not prepared to advise that the assent of the Crown should be withheld. Those who have knowledge of the system of Government within the British Empire are well aware that His Majesty's Government cannot give any instruction, express or implied, as to the measure of enforcement of a Colonial Act and that any attempt to do so would be met with prompt repudiation by the Colonial Government concerned.

The administration of the Act is a matter solely within the competence of the Transvaal Government; the High Commissioner has no jurisdiction and cannot be instructed to interfere.

In conclusion I am desired to say that Lord Elgin, from a close association in the past with India and with Indian fellow subjects, is naturally most anxious to support their interests as far as he can properly do so. But the truest support to those interests is not given by ignoring the difficulties which have arisen and which require the most careful and statesmanlike handling both at home, in India, and in the Dominions and Colonies, and he would appeal to your Committee, which is no doubt interested in the welfare of the British Empire as a whole, to use its influence to pacify and not embroil the passions engendered by the controversy.

I am, &c.,
H. W. JUST.

No. 57.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received January 4, 1908.)

[*See No.* 58.]

MY LORD, Governor's Office, Johannesburg, December 16, 1907.

WITH reference to your despatch of the 12th April,* I have the honour to enclose, for your information, a copy of documents on the subject of the position of Chinese subjects under the Asiatic Law Amendment Act, 1907.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 57.

ACTING IMPERIAL CHINESE CONSUL-GENERAL to GOVERNOR, Transvaal.

Imperial Chinese Consulate-General,
Johannesburg, November 20, 1907.

YOUR EXCELLENCY,

ACTING upon instructions received from my Government in reply to a petition forwarded by the Chinese subjects domiciled in the Transvaal Colony, I have the honour to approach Your Excellency with regard to the operation of the "Asiatic Law Amendment Act, 1907."

Doubtless as Your Excellency is well aware, as the regulations at present stand it is necessary for the purposes of identification that 18 finger impressions should be taken.

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* No. 3.

According to Chinese law only criminals condemned to death, or exiled for life, are called upon to give finger impressions, and in these extreme cases only one finger impression is taken; therefore, for the Chinese subjects resident in this Colony to conform with such regulations, would be to constitute themselves criminals according to the law of their own country. Under these circumstances Your Excellency will at once perceive how impossible it is for the Chinese subjects to alter the attitude already taken up by them and comply with the regulations.

I would respectfully submit to Your Excellency that there is no desire or intention on the part of the Chinese subjects in the Transvaal Colony to evade any ordinary methods of identification, and I would further point out to Your Excellency that it is only the method employed in the regulations to which exception is being taken.

It is not necessary for me to point out that in Clause 18 of this said Act, Your Excellency has the prerogative of amending these regulations, and my object in approaching Your Excellency on this subject is to ask whether this is not a case in which that prerogative might not be exercised judiciously for the benefit of all concerned.

In submitting this to Your Excellency, I am solely prompted by the desire to maintain the present friendly relationships which now exist between the two Governments.

I have, &c.,
Liu-Ngai,
Acting Imperial Chinese Consul-General
for British South Africa.

His Excellency
The Right Honourable
The Earl of Selborne, P.C., G.C.M.G.,
Governor of the Transvaal.

Enclosure 2 in No. 57.

Acting Imperial Chinese Consul-General to Governor, Transvaal.

Imperial Chinese Consulate-General,
Johannesburg, December 2, 1906.

Your Excellency,

With reference to my letter to Your Excellency of the 20th ultimo, I have since had lengthy interviews with the Chairman of the Executive Committee of the Transvaal Chinese Association, which body I fully recognise as representing the Chinese community in the Transvaal, and as a result of these interviews I have ascertained that the feeling of the Transvaal Chinese community is not so much against the finger-prints or any other isolated incident of the Act as against the whole spirit of it. The Association holds that the Act is an attack on personal liberty and degrades the community as a whole, and that it is the forerunner of further legislation restrictive of the liberty of the Chinese residents in the Transvaal.

Under these circumstances I would withdraw my previous communication to you on this subject.

I have, &c.,
Liu-Ngai,
Acting Imperial Chinese Consul-General,
For British South Africa.

His Excellency
The Right Honourable
The Earl of Selborne, P.C., G.C.M.G.,
Governor of the Transvaal.

Enclosure 3 in No. 57.

PRIVATE SECRETARY TO GOVERNOR, Transvaal, to ACTING IMPERIAL CHINESE CONSUL-GENERAL.

SIR, Governor's Office, Johannesburg, December 3, 1907.

I HAVE the honour, by direction of His Excellency Lord Selborne, to acknowledge the receipt of your letters of the 20th November and the 2nd December regarding Act No. 2 of 1907 of the Transvaal Legislature.

I have, &c.,
J. C. LYTTELTON,
Assistant Private Secretary.

The Acting Imperial
Chinese Consul-General,
Johannesburg.

Enclosure 4 in No. 57.

PRIVATE SECRETARY TO GOVERNOR, Transvaal, to ACTING IMPERIAL CHINESE CONSUL-GENERAL.

SIR, Governor's Office, Johannesburg, December 10, 1907.

WITH further reference to your letters of the 20th November and 2nd December regarding Act No. 2 of 1907 of the Transvaal Legislature, I have the honour, by direction of His Excellency the Governor, to inform you that he is advised that if your Government desires to make representations regarding the position of the Chinese community in the Transvaal all correspondence on the subject should pass through the Foreign Offices of the respective Governments.

I have, &c.,
J. C. LYTTELTON,
Assistant Private Secretary.

The Acting Imperial
Chinese Consul-General for British South Africa,
Johannesburg.

Enclosure 5 in No. 57.

PRIVATE SECRETARY TO ACTING IMPERIAL CHINESE CONSUL-GENERAL to ASSISTANT PRIVATE SECRETARY TO GOVERNOR, Transvaal.

Imperial Chinese Consulate-General,
SIR, Johannesburg, December 11, 1907.

I AM directed by the Acting Imperial Chinese Consul-General to acknowledge receipt of your communication of the 10th instant, with reference to Act No. 2 of 1907 of the Transvaal Legislature, the contents of which he has noted.

I have, &c.,
F. V. FAIRBRASS,
Private Secretary.

The Assistant Private Secretary to
His Excellency the Governor of the Transvaal,
Pretoria.

No. 58.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 4.30 p.m., January 10, 1908.

TELEGRAM.

[*Answered by No.* 64.]

January 10. No. 2. Press telegram states that Colonial Secretary at Pretoria, 4th January, said that Chinese Consul had assured him that there were no objections to registering Chinese. See your despatch, 16th December,* especially second enclosure. Should be glad to know what are facts.—ELGIN.

No. 59.

THE HIGH COMMISSIONER FOR SOUTH AFRICA to THE SECRETARY OF STATE.

(Received 6.32 p.m., January 10, 1908.)

TELEGRAM.

January 10. No. 6. With reference to my telegram of 1st January, No. 1,† Southern Rhodesia Administration has decided that it is undesirable that unregistered Asiatics from Transvaal should be allowed to enter territory. They will be treated on arrival under the provisions of Ordinance No. 10, 1903.—SELBORNE.

No. 60.

THE BRITISH INDIANS AT THE CAPE to THE EARL OF ELGIN and THE HONOURABLE JOHN MORLEY.

(Received 3.30 p.m., January 11, 1908.)

TELEGRAM.

British Indians, Cape, appeal your intervention for Indians of Transvaal in their just resistance to Registration Laws on ground that they are against principles British justice and are breach of promises repeatedly made us by late Empress.

No. 61.

THE GOVERNOR OF NATAL to THE SECRETARY OF STATE.

(Received 3.30 p.m., January 11, 1908.)

TELEGRAM.

Following message from Natal Indians:—

> Natal Indians at mass meeting most solemnly protest against oppressive enforcement Asiatic Registration, Immigration Restriction, Acts, Transvaal. Regret so much power for harm entrusted people to oppress unrepresented British Indians disowned by all Government and deplore notwithstanding British justice and fair play Imperial Government seems impotent to extend effectual help. Enough shake Indian confidence, strain loyalty.—NATHAN.

No. 62.

THE INDIAN ASSOCIATION, EAST LONDON, to THE SECRETARY OF STATE.

(Received 9.30 a.m., January 14, 1908.)

TELEGRAM.

We strongly protest against Transvaal Government action, praying intervention for relief our brethren cruel imprisonment.

No. 63.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 1.35 p.m., January 15, 1908.)

TELEGRAM.

[*Answered by No.* 65.]

January 15. No. 1. Matter most urgent. It appears that under Regulations‡ in "Gazette" 28th June, paragraph 13 Schedule G, persons receiving temporary permits will be expected to give right thumb impression.

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* No. 57.

† No. 55.

‡ See pages 22–27.

His Majesty's Government would prefer that this thumb impression should not be compulsorily enacted at all in such cases. If, however, your Ministers consider that there are strong reasons against this course His Majesty's Government would suggest that at least discretion should be given to responsible officer to enact thumb print or not in cases such as those covered by the assurance given by Ministers in enclosure in your despatch of 9th December.*

Enclosure in your despatch 11th November,† states number of impressions under Regulations as ten whereas Chinese Ambassador asserts it is eighteen; see enclosure to my despatch 12th December.‡ I presume that explanation is that eighteen finger impressions will appear on the certificate as the result of twelve separate acts of impression made up of ten individual impressions of the digits of both hands and two simultaneous impressions of the four fingers of each hand.—ELGIN.

No. 64.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.10 p.m., January 24, 1908.)

TELEGRAM.

January 24. No. 1. Your telegram of 10th January, No. 2.§ Ministers state that Chinese Consul Lew Yuk Lin did assure Colonial Secretary that domiciled Chinese in the Transvaal had no objection to registering, provided applications were made at the Consulate, Johannesburg. This was agreed to but the Consul subsequently stated Chinese had changed their minds and objected to giving their finger impressions.—SELBORNE.

No. 65.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.25 p.m., January 24, 1908.)

TELEGRAM.

January 24. No. 2. Your telegram of 15th January, No. 1.‖ Ministers state that while they consider that power to demand furnishing of the thumb impression on temporary permits to visit Transvaal should be retained they are quite agreeable that discretion should be used in exercising the requirement. There is no objection to Asiatics such as Ruling Chiefs, Asiatics of distinguished position, or officials of Asiatic descent giving their signature in place of their thumb impression.

Ministers further advise with regard to furnishing of eighteen impressions by applicants for registration that these are comprised of twelve separate acts of impression, namely taking of the ten individual digit impressions and the taking of two simultaneous impressions of the four fingers of each hand, latter being required as proof that each of the individual impressions is recorded in its allotted space. In the average case taking of the eighteen impressions does not occupy more than thirty seconds.—SELBORNE.

No. 66.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.30 p.m., January 24, 1908.)

TELEGRAM.

January 24. No. 1. Referring to your despatch, 7th October,¶ His Majesty will not be advised to exercise his power of disallowance with respect to Act No. 27, of 1907, entitled Vrededorp Stands Act, 1907.

I have noted with satisfaction that some improvement is effected by Act as regards position of Asiatics at Vrededorp, inasmuch as it expressly saves any rights which they may have at law to claim compensation on ejectment.—ELGIN.

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* No. 52. † No. 37. ‡ Not printed; it transmitted copy of No. 38.
§ No. 58. ‖ No. 63. ¶ No. 24.

APPENDIX I.

GOVERNMENT NOTICE NO. 1096 OF 1907.

ASIATIC LAW AMENDMENT ACT, 1907.

ISSUE OF TRADING LICENCES TO ASIATICS.

It is hereby notified for general information that, under the provisions of Section *thirteen* of the Asiatic Law Amendment Act, 1907, the Colonial Secretary has appointed the 31st day of December, 1907, as the date after which no Asiatic shall obtain any trading licence issued under the Revenue Licences Ordinance, 1905, or any amendment thereof, or under any by-law in force in a municipality, unless he shall produce to the person appointed to issue such licence, a certificate of registration issued under the Asiatic Law Amendment Act, 1907, of which he is the lawful holder.

E. H. L. GORGES,
Acting Assistant Colonial Secretary.

Colonial Secretary's Office,
Pretoria, 3rd October, 1907.

GOVERNMENT NOTICE NO. 1097 OF 1907.

ASIATIC LAW AMENDMENT ACT, 1907.

It is hereby notified for general information that under the provisions of Sub-section (3) of Section *eight* of the Asiatic Law Amendment Act, 1907, the Colonial Secretary has appointed the 30th day of November, 1907, as the date after which any male Asiatic over the age of sixteen years, who is found within the Colony and fails upon demand of any duly authorised person to produce a certificate of registration issued under the Asiatic Law Amendment Act, 1907, of which he is the lawful holder, may be arrested and dealt with as provided under the said sub-section.

E. H. L. GORGES,
Acting Assistant Colonial Secretary.

Colonial Secretary's Office,
Pretoria, 3rd October, 1907.

GOVERNMENT NOTICE NO. 1191 OF 1907.

ASIATIC LAW AMENDMENT ACT, 1907.

EXTENSION OF PERIOD DURING WHICH APPLICATIONS FOR REGISTRATION MAY BE MADE.

With reference to Government Notice No. 1016 of 1907, by which the 1st day of November, 1907, was appointed as the date before which applications for registration should be made, it is hereby notified for general information that, having regard to requests made by certain Asiatics for extension of the period for applying for registration on the grounds that they have been unable to or been prevented from complying with the terms of the Act, the Colonial Secretary has been pleased to extend the time within which applications can be made up to and including the 30th day of November, 1907, and has appointed Montfort Chamney, James Cody, Samuel Sweet, and Richard Terrance Cody to receive applications for registration made by Asiatics now resident in the Transvaal. The Colonial Secretary has further prescribed that such applications shall be made to one of the persons named at Savelkoul's Buildings, Pretorius Street, Pretoria, on or before the date mentioned.

The persons named will attend at the place appointed, for the purpose of receiving applications for registration, every weekday during the month of November, 1907, between the hours of 9 a.m. and 4.30 p.m. (1 p.m. on Saturdays).

It is further notified that application must be made in person at Pretoria, and that no applications will be received after the date named in this notice, namely, the 30th day of November, 1907.

E. H. L. GORGES,
Acting Assistant Colonial Secretary.

Colonial Secretary's Office,
Pretoria, 31st October, 1907.

APPENDIX II.

(I.)

(No. 38 of 1902.)

INDEMNITY AND PEACE PRESERVATION ORDINANCE, 1902.

Whereas it is desirable to withdraw Martial Law from this Colony and to indemnify acts matters and things in good faith advised commanded ordered directed or done while Martial Law was in force:

And whereas it is desirable in view of the withdrawal of Martial Law to make special provision for the maintenance of good order and government and the public safety of this Colony during such time as circumstances may require:

Be it enacted by the Lieutenant-Governor of the Transvaal with the advice and consent of the Legislative Council thereof as follows:—

Definition of terms.

1. The following expressions in inverted commas shall have the meaning placed opposite to them:—

"Constabulary" shall mean the South African Constabulary.

"Police Officer" shall mean any Officer of the Constabulary or Town Police not under the rank of Captain or Inspector respectively.

Withdrawal of Martial Law.

2. (1) From and after the date of the taking effect of this Ordinance Martial Law shall be and is hereby withdrawn from this Colony and all Proclamations and Regulations issued under the authority of Martial Law and all Proclamations signed by the Military Governor of Pretoria or Johannesburg shall become *ipso facto* of no force or effect.

Repeal of Laws.

(2) Sub-Sections (1) and (2) of the Proviso to Section *sixteen* of the "Adminstration of Justice Proclamation 1902" shall be and are hereby repealed.

Governor may withdraw any district from operation of Part II. of this Ordinance.

3. It shall be lawful for the Governor at any time by Proclamation in the *Gazette* to withdraw any district of this Colony or any portion of a district from the operation of Part II. of this Ordinance or any portion thereof; such Proclamation shall also be published in some newspaper circulating in the district and printed copies thereof shall be affixed to the door of the Court House of the Resident Magistrate and of every Police Station in the district; provided always that the Governor may at any time thereafter proclaim that the whole or any portion of Part II. of this Ordinance shall be in force in any district or portion thereof from which it may have been withdrawn; notice of such Proclamation to be given in like manner as is provided in this Section in respect of a Proclamation for withdrawal.

PART I.

Indemnity for certain Acts

4. No action indictment or legal proceeding whatsoever shall be brought or instituted in any of the Courts of this Colony against His Excellency the Governor of the Transvaal or His Excellency the Lieutenant-Governor of the Transvaal or the Officer for the time being Commanding His Majesty's Forces in this Colony or against any person or persons acting under them or any of them respectively in any command or capacity civil or military for or on account or in respect of any acts matters and things whatsoever in good faith advised commanded ordered directed or done for the suppression of hostilities or for the maintenance of good order and Government or for the public safety of this Colony between the date of the commencement of a state of war between His Majesty's Government and the late Governments of the South African Republic and the Orange Free State and the date of the taking effect of this Ordinance; and any such action indictment or other proceeding which may have been commenced at the date of the taking effect of this Ordinance shall be discharged and become and be made void.

Certain persons indemnified.

5. Every such person aforesaid by whom any such act matter or thing shall have been advised commanded ordered directed or done for the purposes aforesaid shall be freed acquitted discharged released and indemnified against all and every person and persons whomsoever in respect thereof.

Presumption of good faith.

6. Every such act matter or thing referred to in the preceding Sections shall be presumed to have been advised commanded ordered directed or done as the case may be in good faith until the contrary shall be proved by the party complaining.

Sentences pronounced by Military Courts confirmed.

7. The several sentences pronounced by Military Courts or by Courts established by proper Military authority and holden in this Colony during the existence of Martial Law upon persons tried by such Courts for offences against the law of this Colony as well as for contraventions of Martial Law Regulations are hereby confirmed; and all such persons confined in any prisons or other legal places of confinement in this Colony under or by virtue of such sentences shall continue liable to be confined there or elsewhere as the Lieutenant-Governor may direct until the expiration of the sentences respectively passed upon them or until their discharge by lawful authority; and such sentences shall be deemed to be sentences passed by duly and legally constituted Courts of this Colony and shall be carried out or otherwise dealt with in the same manner as the sentences of duly constituted Courts of Law of this Colony.

8. All persons who have been in good faith and under proper Military authority arrested for High Treason or other crime in this Colony during the existence of Martial Law and all persons who have been similarly committed to gaol and are there detained to await their trial for High Treason or other crime shall be deemed to have been lawfully arrested committed to and detained in gaol in the same manner and to the same extent as if they had been arrested and committed to gaol on warrants issued by persons authorised by Law to issue them.

Persons arrested for high treason under martial law to be deemed to have been lawfully arrested.

9. Every recognizance taken during the existence of Martial Law upon which a person accused of High Treason or other crime has been admitted to bail shall be and is hereby declared to be of full force and effect.

Recognizances taken during existence of martial law to be of full force and effect.

Part II.

Special Provisions for Public Safety.

10. It shall be lawful for any Magistrate Assistant Magistrate or Police Officer in any district to arrest or cause to be arrested without warrant any person in such district on reasonable suspicion of his having committed treason or any of the offences mentioned in Section *eighteen* of this Ordinance and to lodge such person in any gaol in the said district.

When person may be arrested without warrant.

11. Upon the written order of such Magistrate Assistant Magistrate or Police Officer as aforesaid the gaoler of the said district shall be bound to receive and detain in custody in the gaol thereof any such person arrested as aforesaid for such time as is specified in the said order or if no time is specified therein until the said gaoler receives an order from the Attorney-General or Official on whose order the said person is detained for such person's release notwithstanding that no charge is preferred against such person either at the time of his arrest or of his reception into gaol; provided that every such person shall be entitled to his discharge from gaol or custody unless within twenty-one days after such imprisonment criminal proceedings shall be commenced against him.

Gaoler bound to receive in custody persons arrested under Section *ten*.

12. As soon as a person is received into custody under the last preceding section the Magistrate shall forthwith submit to the Attorney-General a statement in writing containing the full name address and occupation of such person as far as can be ascertained and also a copy of the order on which such person was received into gaol together with all the information in his possession on which such order was issued.

Magistrate to send statement in writing to Attorney-General containing full name of person arrested and all particulars relating to arrest.

13. Any person liable to arrest under Section *ten* who shall have removed from any district in which that Section is in force may be arrested in any other district; and the Magistrate of such last-mentioned district or any Police Officer therein shall on the application of the Magistrate of the first-mentioned district cause such person to be arrested without warrant and detained in the gaol of the district in which he was arrested or removed to the gaol of the district from which such application as aforesaid was made. Upon such arrest the provisions of Sections *eleven* and *twelve* shall *mutatis mutandis* apply.

Suspected person may be arrested in any other district to which he has removed.

14. Should any person arrested under Sections *ten* or *thirteen* apply to the Supreme Court Witwatersrand High Court or to any Judge of the Supreme Court for his discharge from custody before the expiration of the twenty-one days mentioned in Section *eleven* it shall not be competent for any such Court or Judge to grant such discharge if satisfied that reasonable grounds exist for suspecting that the said person has committed treason or any of the offences mentioned in Section *eighteen* of this Ordinance.

Person arrested may apply to Supreme Court, or High Court for his discharge.

15. It shall be lawful for the Resident Magistrate or Assistant Resident Magistrate in any district or for any Police Officer serving therein on any information that there is reasonable cause to suspect that any person within such district is in the possession of any document written or printed of a seditious or treasonable character to search or cause to be searched any land building or premises of any kind whatever situated in such district or any wagon cart or other vehicle on or in which there are reasonable grounds for suspecting that such document may be found and to seize any such document as aforesaid without any warrant being issued or obtained for such search or seizure.

Search of buildings in which treasonable documents are expected to be.

16. Any person hindering or obstructing any Police Constable or other authorised person while engaged in any search under the provisions of this Ordinance shall be liable on conviction to be imprisoned with or without hard labour for a period not exceeding one year or to be fined a sum not exceeding one hundred pounds or to both such fine and imprisonment.

Penalty for obstructing Police constable engaged in searching.

17. It shall be lawful for the official in charge of any Post Office to intercept any letter or other document or parcel sent through the post which he has reasonable grounds to suspect contains treasonable or seditious matter; such letter document or parcel shall be forthwith sent by him to the Resident Magistrate of the District together with a statement in writing of the grounds of suspicion and shall be opened by such Magisrate if satisfied that reasonable grounds of suspicion do exist as aforesaid; and in case such letter document or parcel be found on being opened to contain treasonable seditious or other criminal matter it shall be forwarded by the Resident Magistrate to the Attorney-General to take such action thereon as he may deem advisable; and in case such letter document or parcel shall be found not to contain treasonable, seditious or other criminal matter it shall after being endorsed by the said Magistrate be forwarded to its destination.

Stoppage of letters reasonably suspected of containing treasonable or seditious matter.

Penalty for seditious acts writing and speeches.

18. Any one who speaks seditious words or does seditious acts or publishes a seditious libel or is party to a seditious conspiracy shall be liable on conviction to imprisonment with or without hard labour for a period not exceeding five years or if he has previously been convicted of any offence under this section to imprisonment with or without hard labour for a period not exceeding seven years.

Seditious words are words expressive of a seditious intention.

Seditious acts are acts done with seditious intention.

A seditious libel is a libel expressive of a seditious intention.

A seditious conspiracy is an agreement between two or more persons to carry into execution a seditious intention.

A seditious intention is an intention—
(1) To bring His Majesty or the Governor or Lieutenant-Governor of the Transvaal in person into hatred or contempt; or
(2) To excite disaffection against His Majesty or the Governor or Lieutenant-Governor in person or the Government and Constitution of the United Kingdom or of the Transvaal as by law established or the administration of justice therein; or
(3) To incite His Majesty's subjects to attempt to procure otherwise than by lawful means the alteration of any matter in the Transvaal by law established; or
(4) To incite any person to commit any crime in disturbance of the public peace; or
(5) To raise discontent and disaffection amongst His Majesty's subjects; or
(6) To promote feelings of ill-will and hostility between different classes of His Majesty's subjects:

Provided that no one shall be deemed to have a seditious intention only because he intends in good faith;
(*a*) To show that His Majesty or the Governor or Lieutenant-Governor has been mislead or mistaken in his measures; or
(*b*) To point out errors or defects in the Government or Constitution of the United Kingdon or the Transvaal as by law established or in the administration of justice therein with a view to the reformation of such alleged errors or defects; or to urge His Majesty's subjects to attempt to procure by lawful means the alteration of any matter in the Transvaal by law established.

Permits required to enter Transvaal.

19. After the date of this Ordinance no person shall enter this Colony without a permit granted under the terms of this Ordinance unless—

(*a*) He was resident and within this Colony or the Orange River Colony on the 31st of May 1902 and has not since that date been expelled from or ordered to leave this Colony or the Orange River Colony.
(*b*) He has since the 31st of May 1902 and before the date of this Ordinance received a permit or other formal authorisation to enter this Colony from some duly constituted authority.
(*c*) He is a person coming within the provisions of Article 2 of the Terms of Surrender signed at Pretoria on the 31st of May 1902, and published in the *Gazette Extraordinary* dated 3rd June 1902.
(*d*) He is a person employed in His Majesty's Naval or Military Service or in the Civil Service or in any Police Force of this Colony or the Orange River Colony.

By whom permits may be issued.

20. Permits to enter the Colony under this Ordinance shall be granted by such persons as may be authorised to do so by the Governor and shall be in such form as the Governor may direct.

No such permit shall be granted to any person who having been a burgher of the South African Republic or the Orange Free State has not taken the Oath of Allegiance to His Majesty or made some declaration of equivalent import in form approved by the Governor. In all other cases it shall be in the discretion of the Governor to grant or refuse any permit.

Person found in Colony who has entered it without lawful authority may be ordered to leave.

21. It shall be lawful for the Colonial Secretary if he has reason to believe that any person is residing or sojourning in this Colony having entered it without proper authority to give notice thereof to any Resident Magistrate and such Magistrate shall thereupon summon such person to appear before him and if such person fails to satisfy the Magistrate that he has obtained a permit under this Ordinance or is exempt under the provisions of Section *nineteen* from obtaining such permit the Magistrate shall make a written order directing such person to leave the Colony within seven days unless before the expiration of that time he has received permission in writing from the Colonial Secretary to remain in the Colony: such permission shall have the same effect as a permit granted under this Ordinance.

Penalty for disobedience to order to leave Colony.

22. (1) If any person in whose case such order has been made is found within the Colony after the expiration of seven days after service of such order without having obtained permission from the Colonial Secretary as aforesaid he may be arrested and brought before a Magistrate and shall upon conviction be sentenced to imprisonment with or without hard labour for a period of not less than one month and not more than six months and with or without a fine not exceeding five hundred pounds and in default of payment to a further term of imprisonment for a period not exceeding six months.

(2) If any person imprisoned under the terms of the preceding Sub-Section shall remain in the Colony for a period of more than seven days after the expiration of his term of imprisonment or any subsequent term of imprisonment imposed under this Section without obtaining permission in writing from the Colonial Secretary to remain in the Colony he may be arrested and brought before a Magistrate and shall on conviction be sentenced to imprisonment with or

without hard labour for a period of not less than six and not more than twelve months and with or without a fine not exceeding five hundred pounds and in default of payment to a further term of imprisonment for a period not exceeding six months.

Penalty for obtaining permit by improper means.

23. Any person entering this Colony on a permit not issued to him by a proper authority or obtained by him by any fraudulent means shall be liable to imprisonment with or without hard labour for a period not exceeding two years or to a fine not exceeding five hundred pounds or to both such imprisonment and fine.

Dangerous persons may be ordered to leave Colony.

24. It shall be lawful for the Lieutenant-Governor on its being shewn to his satisfaction that there are reasonable grounds for believing that any person within this Colony is dangerous to the peace and good Government of the country to issue an order under the hand of the Colonial Secretary to such person to leave the Colony within fourteen days after service of such order. If on the expiration of the said period such person shall be found within the Colony he shall be proceeded against in similar manner and be subject to the like penalties as are provided in Section *twenty-two* of this Ordinance.

Lieutenant-Governor may make regulations for better carrying out objects of Ordinance.

25. It shall be lawful for the Lieutenant-Governor to make regulations for all or any of the following purposes and to provide penalties for any breach thereof not exceeding a fine of fifty pounds or imprisonment with hard labour for a period not exceeding three months or both such fine and imprisonment.

(*a*) For the more effectual carrying out of the provisions of this Ordinance.
(*b*) For preventing the wilful or reckless spreading of false intelligence calculated to create panic or alarm.
(*c*) For prohibiting the holding of meetings at which there is reasonable suspicion that seditious speeches will be made.
(*d*) For prohibiting the introduction into this Colony or circulation therein of any printed matter of a treasonable or seditious character.

Any regulations made under this section may be for any one or more districts, but shall only be of force after publication in the *Gazette*.

Nothing in Ordinance to prevent Proclamation of Martial Law when necessary.

26. Nothing in this Ordinance contained shall be deemed or taken to interfere with or to limit the power of the Governor to proclaim Martial Law throughout this Colony or in any district or districts thereof.

Title.

27. This Ordinance may be cited for all purposes as the " Indemnity and Peace Preservation Ordinance 1902."

Passed in Council the Twelfth day of November, One thousand Nine hundred and Two.

GERARD CRAIG SELLAR,
Clerk of the Council.

Authenticated under my Hand and Seal:—

ARTHUR LAWLEY,
Lieutenant-Governor.

Pretoria, 14th November, 1902.
Assented to:—

MILNER,
Governor.

Johannesburg, 15th November, 1902.

(II).

(No. 5 of 1903.)

Ordinance.

To amend the Peace Preservation Ordinance of 1902.

Be it enacted by the Lieutenant-Governor of the Transvaal with the advice and consent of the Legislative Council thereof as follows:—

Repeal.

1. Sections *nineteen twenty twenty-one twenty-two twenty-three* and *twenty-four* of the Indemnity and Peace Preservation Ordinance No. 38 of 1902 are hereby repealed.

Permit required to enter Colony.

2. After the date of this Ordinance no person shall enter or reside in this Colony unless he is possessed of a permit issued to him under the provisions of this Ordinance or can give satisfactory evidence that he belongs to one of the following classes:—

(1) persons resident and actually in this Colony or the Orange River Colony on the 31st May 1902;
(2) persons who before the date of this Ordinance have received a permit or other formal authorisation to enter this Colony from some person duly authorised to issue the same;
(3) persons coming within the provisions of Article *two* of the Terms of Surrender signed at Pretoria on the 31st day of May 1902 and published in the *Gazette Extraordinary* dated 3rd June 1902;
(4) persons employed in His Majesty's Naval or Military Service or in the Civil Service or in any Police Force of this Colony or the Orange River Colony;

provided that the exemption in this section contained shall not apply to any person who has been expelled from or ordered to leave this Colony or the Orange River Colony.

Persons by whom permits may be issued.

3. Permits to enter the Colony shall be in the form prescribed by the Governor and shall be issued by such persons as he may appoint for that purpose.

Limitation on issue of permits.

4. (1) No permit to enter this Colony shall be granted to any person who having been a Burgher of the South African Republic or the Orange Free State has not taken the Oath of Allegiance to His Majesty or made some declaration of equivalent import in form approved by the Governor.

(2) Subject to the above limitation the granting or withholding of permits shall be in the absolute discretion of the Governor.

Persons called on to produce permits on pain of arrest.

5. Any person entering or residing in this Colony may be called upon by any member of any Constabulary or Police Force or other person authorised thereto by the Colonial Secretary to produce a permit issued under this Ordinance or to give satisfactory evidence that he belongs to one of the classes exempted from the necessity of having such a permit under the provisions of Section *two*. If the person so called upon fails to produce such a permit or to give such evidence as aforesaid he may be arrested without a warrant and dealt with as hereinafter provided.

Persons arrested to be brought before a Magistrate.

6. Every person so arrested shall with all convenient speed be brought before a Magistrate and if he fails to satisfy the Magistrate that he is duly authorised to enter or reside in this Colony under the provisions of this Ordinance the Magistrate may make an order in writing directing such person to leave this Colony within such time as may be specified in such order provided that if such person declares upon oath that he has already obtained a permit and gives satisfactory reasons for his inability to produce the same or if he declares upon oath that he can produce satisfactory evidence that he belongs to one of the classes exempted from the necessity of obtaining a permit by the provisions of Section *two* hereof he may be released upon entering into a recognizance with or without sureties to produce before any Magistrate named in such recognizance and within the time stated therein such permit or evidence as the case may be. If such person fails to comply with the condition of his recognizance it shall be forfeited.

Penalties.

7. Any person who may be ordered to leave this Colony and fails to do so within the time specified in the order and any person whose recognizance has been forfeited under the provisions of the last preceding section may be arrested without warrant and brought before a Magistrate and shall upon conviction be sentenced to imprisonment with or without hard labour for a period of not less than one month and not more than six months and with or without a fine not exceeding £500 and in default of payment to a further term of imprisonment for a period not exceeding six months.

Further penalties for failure to leave Colony.

8. If any person imprisoned under the terms of the last preceding section shall remain in the Colony for a period of more than seven days after the expiration of his term of imprisonment or any subsequent term of imprisonment imposed under this section without obtaining permission in writing from the Colonial Secretary to remain in the Colony the burden of proving which shall be upon him he may be arrested without a warrant and brought before a Magistrate and shall on conviction be sentenced to imprisonment with or without hard labour for a period of not less than six and not more than twelve months and with or without a fine not exceeding five hundred pounds and in default of payment to a further term of imprisonment for a period not exceeding six months.

Offences relating to permits.

9. Any person who

(1) obtains or attempts to obtain or incites any person to obtain or aids or abets any person in obtaining a permit by any fraud misrepresentation false pretence falsehood or other improper means;

(2) uses or attempts to use or incites any person to use or aids or abets any person in using any permit so obtained;

(3) enters or attempts to enter this Colony on a permit so obtained or on a permit not issued to him by proper authority,

shall be liable to a fine not exceeding five hundred pounds or to imprisonment with or without hard labour for a term not exceeding two years or to both such fine and such imprisonment.

Persons who may be ordered to leave Colony.

10. It shall be lawful for the Lieutenant-Governor on its being shown to his satisfaction that there are reasonable grounds for believing that any person within this Colony is dangerous to the peace and good government of the country to issue an order under the hand of the Colonial Secretary to such person to leave the Colony within such time after service of such order as may be stated therein. If on the expiration of the said period such person shall be found within the Colony he shall be proceeded against in manner prescribed in sections *seven* and *eight* of this Ordinance and shall be subject to the penalties therein provided.

Title.

11. This Ordinance may be cited as the Peace Preservation Ordinance 1903 and shall be read as one with the Indemnity and Peace Preservation Ordinance 1902.

Passed in Council the eighteenth day of February One thousand Nine hundred and Three.

CECIL E. HAWES,
Acting Clerk of the Council.

Authenticated under my Hand and Seal:

ARTHUR LAWLEY,
Lieutenant-Governor.

Pretoria, 23rd February, 1903.

Assented to:

MILNER,
Governor.

Johannesburg, 25th February, 1903.

TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS IN THE TRANSVAAL.

(*In continuation of* [Cd. 3887] *January*, 1908.)

Presented to both Houses of Parliament by Command of His Majesty.
February, 1908.

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1908.

[Cd. 3892.] *Price* 1*d*.

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2	The Governor ...	Telegram, 1	January 28 (Rec. Jan. 28)	Reports that Ministers would gladly adopt the Indian practice if they thought a settlement on those lines practicable but the objection of the Indians in the Transvaal is to the spirit of the law rather than to its details ; an attempt is being made to ascertain if they will register if merely signatures of educated and well known Indians are taken and finger prints of the rest.	3
3	Ditto	Telegram, 1.	January 29 (Rec. Jan. 29.)	Reports that a settlement has been reached ; communicates letter from representatives of Indians proposing a compromise which Ministers have accepted without difficulty.	4
4	Ditto	Telegram	(Rec. Jan. 30)	Reports that the leaders of the Indian and Chinese communities have offered voluntary registration in a body within three months on the conditions stated ; Government has accepted the offer and sentences on all Asiatics in prison have been remitted.	5
5	To the Governor ...	Telegram, 1.	Jan. 31	Congratulates Ministers on the successful issue of the negotiations, and acknowledges their uniform courtesy.	5

TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS IN THE TRANSVAAL.

No. 1.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.35 p.m., 25th January, 1908.)

TELEGRAM.

25th January. No. 1. I think your Ministers should know the following facts as to the present use of finger prints system in India:—

> Identification by finger prints in Indian army is secured by impressions of bulb of thumb and all the fingers of the left hand. Single thumb impressions or ten finger impressions not used in Indian army. Ten finger impression is confined to criminals. Impression of left hand thumb in case of registration of documents and impression of thumb and four fingers of left hand in case of pensioners. It is difficult to say how much importance is attached to these distinctions in India but they do carry some weight.—ELGIN.

No. 2.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.50 p.m., 28th January, 1908.)

TELEGRAM.

28th January. No. 1. My Ministers thank your Lordship for information contained in your telegram of 25th January, No. 1,* and would gladly make use of it if they thought a settlement on lines of the Indian practice possible. They never anticipated any objection to finger prints seeing that 100,000 Indians had given ten finger prints in Natal without ever raising any objection. Similarly all the indentured Chinese labourers gave their ten finger prints both in China and Transvaal without any objection. Ministers anticipate that Indians will raise same objections to five finger prints as to ten finger prints, as their objection is more to spirit of the law than its details. Attempt is being made now (to) find out whether they will not register if merely signatures of educated and well-known Indians are taken and finger prints of the rest.—SELBORNE.

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* No. 1.

2500 G 899 Wt 2/08 D & S 5 31110

No. 3.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 10.45 p.m., 29th January, 1908.)

TELEGRAM.

29th January. No. 1. I am happy to be able to inform you that a settlement has been reached in the matter of the registration of British Indians and other Asiatics who have a legitimate domicile in the Transvaal. The following letter has been addressed to the Colonial Secretary:—

"SIR,

"As representatives of the Indian and the Chinese communities who have taken a prominent part in the opposition to the Asiatic Registration Amendment Act we have the honour to lay the following considerations before you.

"Our opposition has never been directed so much against the finger print requirements Regulations under the Act, in as far as such finger prints were deemed necessary for the identification of Asiatics who could not very well be otherwise identified, as against the element of compulsion contained in the Act itself. On that ground we have repeatedly offered to undergo voluntary registration if the Act were repealed. And even now at this late hour we would urge on the Government the adoption as far as possible of the course more than once proposed by us. We recognise that it is not possible during the Parliamentary recess to repeal the Act, and we have noted your repeated public declaration that there is no likelihood of the Act being repealed. We would, however, point out that the periods fixed for registration under the Act by the various Government notices have expired and that therefore any registration at present would necessarily have to be of that voluntary nature which we originally prayed the Government to concede. Under these circumstances we would once more respectfully suggest to the Government that all Asiatics over the age of 16 years should be allowed within a certain limited period, say, three months, to register themselves, and that to all who so register the Act be not applied, and that Government take whatever steps they deem advisable to legalise such registration. Such mode of registration should apply to those also who being out of Colony may return and otherwise possess right of re-entry. In taking registration of Asiatics we do not object that the requirements of Act and the Regulations be as nearly as possible complied with, provided registration officials do not press for any information which offends religious sense of the applicants and receive discretion to dispense with finger print requirements in case of those applicants who, by reason of their education or property or public character, are well known or can be easily identified otherwise. In those cases we urge that officials should have discretion to accept signature of applicant as a sufficient identification. Should Government agree to these suggestions and accept registration on these terms we assume that all further prosecutions or punishments under the Act will be suspended during the period set aside for registration. We, on our part, again would undertake to use all our influence to induce our compatriots to register and withdraw all countenance from those who refuse to register or are not legally entitled to register. We put forward above suggestions because we are sincerely anxious to prove to Government that we are loyal and law-abiding, and that we are willing to adopt any course which will lead out of present difficulty without violating our conscience, inflicting any indignity, or casting any stigma on us.

We have, &c.,
"M. K. GANDHI.
"LEUNG-QUINN.
"T. NAIDO."

As you are aware, object of the Act passed last Session was not in any degree to enable Transvaal Government to eject from the Transvaal those British Indians or other Asiatics who have a right to be there or to humiliate them but only to enable that Government to control any immigration of Asiatics who have no such right by securing a complete and accurate register of those who possess such a right. Consequently, my Ministers have felt no difficulty in agreeing to proposals contained in this letter, and accepting them as a settlement of this difficult question.

As soon as matter is finally adjusted I shall, on the advice of my Ministers, release from prison all the British Indians and other Asiatics who are now in prison for non-compliance with the conditions prescribed by the Act passed last Session.—SELBORNE.

No. 4.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8.15 p.m., 30th January, 1908.)

TELEGRAM.

Following statement just received from Ministers is being communicated to press to-night.

> *Begins:* Gandhi and other leaders of Indian and Chinese communities have offered voluntary registration in a body within three months provided signatures only are taken of educated, propertied, or well-known Asiatics and finger prints of the rest and that no question against which Asiatics have religious objection be pressed. Government have accepted this offer and undertaken pending registration not to enforce the penalties under Act against all those who register. Sentences of all Asiatics in prison will be remitted to-morrow. This course agreed to by both political parties. *Ends.*

SELBORNE.

No. 5.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 3.40 p.m., 31st January, 1908.)

TELEGRAM.

31st January. No. 1. Your telegram, 29th January, No. 1.* I have received with the greatest satisfaction your announcement that a settlement has been reached in the matter of the registration of British Indians, and desire on behalf of His Majesty's Government to congratulate you and your Ministers on the successful issue of their negotiations. I think it due to your Ministers that I should acknowledge the uniform courtesy with which they have entertained the representations which I have felt it my duty to make on this subject, involving as they did considerations of far-reaching importance.—ELGIN.

TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS IN THE TRANSVAAL.

(*In continuation of* [Cd. 3892] *February*, 1908.)

Presented to Parliament by Command of His Majesty.
October, 1908.

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1908.

[Cd. 4327.] *Price 6d.*

Serial No.	From or to whom.	—	Date.	Subject.	Page.
			1908.		
18	The Governor ...	Telegram, 1.	August 14 (Rec. Aug. 14.)	Reports introduction and objects of a bill to validate the voluntary registration of Asiatics under the agreement; presumes that when the Act is passed announcement of sanction may be made.	31
19	Ditto	—	August 3 (Rec. Aug. 22.)	Transmits copy of a Minute from Ministers reporting on the cases of Sorabjee and others.	31
20	Ditto	Telegram A.	August 24 (Rec. Aug. 24.)	States that Asiatics Registration Amendment Act has been passed in different form to that reported on in No. 18 and describes the more important alterations; Ministers request that it may be assented to by telegraph.	32
21	South African British Indian Committee.	—	September 8	Encloses copy of a petition from the British Indian Association to the Transvaal Legislative Assembly dealing especially with the Voluntary Registration Bill.	33
22	To the Governor ...	Telegram, 2.	September 9	Sanctions the Asiatics Registration Amendment Act; His Majesty's Government trust that the concessions to which he refers may have the effect of terminating the controversy.	34
23	The Governor ...	—	August 24 (Rec. Sept. 12.)	Reports the passing of the Asiatics Registration Amendment Bill through all its stages, and encloses report of the debate on the second reading.	34
24	Ditto	—	September 7 (Rec. Sept. 26.)	Transmits copies of resolutions passed at a meeting of the Hamidia Islamic Society on July 28 regretting the injustice of the Colonial Government and the unconcern of His Majesty's Government.	41
25	Ditto	—	September 7 (Rec. Sept. 26.)	Encloses copy of a minute from Ministers respecting the passing of the Asiatics Registration Amendment Act, 1908, and asks for telegraphic sanction of the Act.	41
26	To the Governor ...	Telegram, 1.	October 3	Asks, in reply to No. 25, for the exact particulars on which is based the statement that Asiatics had declared that they did not desire immigration of persons who could not claim residence prior to the war.	44
27	The Governor ...	—	September 21 (Rec. Oct. 10.)	Forwards Asiatics Registration Amendment Act of 1908 (No. 36), together with a copy of a report thereon by the Attorney-General.	44
28	The Deputy Governor.	Telegram	October 15 (Rec. Oct. 15.)	Reports, in reply to No. 26, that the Prime Minister states that the declaration referred to was repeatedly made by Mr. Gandhi to the Colonial Secretary.	52
29	Ditto	Telegram 1.	October 16 (Rec. Oct. 16.)	Forwards extract from a report of an interview with Mr. Gandhi, which Ministers quote in support of their statement.	53

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TRANSVAAL.

FURTHER CORRESPONDENCE

RELATING TO

LEGISLATION AFFECTING ASIATICS IN THE TRANSVAAL.

No. 1.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 22 February, 1908.)

MY LORD, Governor's Office, Johannesburg, 3 February, 1908.

I HAVE the honour to inform you that the one topic of public interest in the Transvaal during the past week has been the settlement of the difficulties which have arisen in connection with the administration of the Asiatic Registration Act.

2. At the beginning of the week the "passive resistance" movement was still being maintained, the leaders of the movement were in prison and fresh convictions arising out of the refusal of Asiatics to comply with the provisions of the law were still taking place.

3. Mr. Gandhi, however, had become convinced that there was no chance of the Government abandoning the essential objects with which the Act was passed, and negotiations were accordingly being carried on between him, acting in concert with other leaders of the Asiatic community, and the Government, with a view to arriving at a settlement which, while safeguarding these objects, should enable the Asiatics to retire without loss of dignity from a position which had become impossible.

4. These negotiations were being carried on through the instrumentality of Mr. Albert Cartwright, now Editor of the Transvaal "Leader," who, from a disinterested sympathy with both sides to the dispute, voluntarily gave his services to both sides as intermediary, and deserves, in my opinion, great credit for his patriotic action in the matter.

5. On Tuesday, the 28th January, Mr. Smuts made a speech at Pretoria, a report of which I enclose, in which he foreshadowed an amicable settlement, but dwelt on the grave consequences which Asiatic immigration on a large scale has produced in Natal.

6. On the following day the negotiations came to a head, when the Colonial Secretary received from Messrs. Gandhi, Leung Quinn, and Naidoo the letter of which I communicated the terms to your Lordship in my telegram of the 29th January.* It only then remained for the Government to secure the concurrence of the Opposition in their proposal to accept the settlement set forth in this letter. This was obtained late on the following evening, and Mr. Gandhi's terms were then formally accepted by the Colonial Secretary,

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* No. 3 in [Cd. 3892].

Mr. Gandhi having been released from prison for the purpose of the necessary interview.

7. I was then able to send to your Lordship my telegram of the 30th ultimo,* giving the terms of the announcement which was at once made to the Press.

8. The correspondence which took place between Mr. Smuts and Sir George Farrar on behalf of the Opposition was published in the "Star" on the 31st ultimo, and is enclosed for your information.

9. It is satisfactory that this settlement should have been arrived at with the consent of both parties, and I feel no doubt as to the desire and ability of Mr. Gandhi and his colleague to secure the loyal acceptance of it by at least the vast majority of the Asiatic community.

10. I have to offer my sincere thanks to your Lordship for your telegram of the 31st January, No. 1,† conveying the congratulations of His Majesty's Government on the termination of an embarrassing situation.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 1.

"LEADER," 29 January, 1908.

THE ASIATICS.

GENERAL SMUTS ON THE POSITION.

(From Our Resident Reporter.)

Pretoria, Tuesday Night.

The Colonial Secretary (General Smuts), talking at a meeting here to-night, convened for the purpose of allowing Mr. E. Rooth, M.L.A., to address his constituents, delivered an important speech on the Asiatic problem.

GENERAL SMUTS.

He said the announcement that he was to speak was a surprise. He wished to touch on the Asiatic question, only recapitulating the position shortly. The Colonial Secretary said there was no doubt of the fact that the number of Indians in the Transvaal had increased from 10,000 before the war to 15,000 when the Registration Act was passed. That law was intended as a forerunner to the Immigration Act. The Government wanted to be perfectly fair, but they had wanted to put a stop to the influx of Asiatics. For this it was necessary to know finally who had a right to be in the country, and to establish this they had to adopt the form of registration. Then those legally here had to be put on a permanent footing, and the door would be closed on the rest of the Asiatics. Regarding the objections to the finger-print system, he said 100,000 Indians in Natal had all given their ten finger-prints without demur. (Hear, hear.) The Chinese market-gardeners, laundry-men, &c., in the Colony had also religious and conscientious scruples, but the 60,000 indentured Chinese had not only given them their ten finger-prints on engagement in China, but had given them again on arrival in the Transvaal. No Government in South Africa, under such circumstances, could have expected the opposition which had arisen. At the same time the Government did not wish to take advantage of the obstinacy of the Asiatics. He repeated that the Government ought to be ready and the European population ought to be prepared to allow the Asiatics to Register if they volunteered to do so to-morrow. (Mixed cries of approval and dissent.) He was in close touch with the Asiatic community in the Transvaal, and he would not be surprised if before very long they recognised that the position they had taken up was an impossible and indefensible one, from which they must recede. He was very sorry the Government had been driven to imprison men who were not criminals, but the Government had to enforce the law, and this enforcement seemed to have had a good effect. One aspect of the Asiatic question—Chinese labour—had been finally and happily decided, and he had hopes that the Asiatics would give in and register, which would dispose of the other aspect also. After that they had a good immigration law, which would enable them to close the door on Asia and keep South Africa for a white community. (Hear, hear.) Making reference to Natal, the Colonial Secretary said it was a fact that the white population of Natal was getting less, and the Asiatic population was getting bigger, year by year. That was a question which was vitally important not only to Natal, but to the rest of South Africa, and he thought the day would come when the rest of South Africa would have to speak firmly to Natal, and say: "You are given to dangerous practices. In the Transvaal we have been at great trouble and expense trying to stamp out a danger which it has been almost impossible to overcome, whereas you in Natal are still continuing this policy of importing Asiatics from India." He was given to understand that even to-day there were before the Government of Natal nearly 10,000 applications by employers in Natal for coolies from Asia, and if the Government of Natal did not put a stop to this practice and say, "We shall allow no further importations from Asia," they would find that Natal would become a festering sore and danger which would spread infection through the whole of South Africa, and the country would suffer. Although, continued General Smuts, they did not wish to interfere in the affairs of Natal, the day would come when the other States of South Africa would have to take a strong line and say: "We advise you very strongly to put a stop to this immigration." If that were not done, and Natal continued to be open to Asiatic immigration, the white population would continue to decline, and the Asiatic population would grow until the Asiatic would spread over the whole of South Africa, and nothing would be able to keep him out. The sooner, continued General Smuts, they got rid of the Asiatic the better, so that when the day came when the issue had to be decided between East and West, he hoped the East would have no further interests in South Africa, and would leave her severely alone. (Applause.) As long as they of the Government were here they would do their duty. It was their ambition, he might say their passion, to reform the Transvaal and to put the country on a sound basis of prosperity, and if they failed, it would not be due to their want of willingness. (Applause.)

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* No. 4 in [Cd. 3892].

† No. 5 in [Cd. 3892]

Enclosure 2 in No. 1.

The "Star," 31 January, 1908.

Asiatic Question.

Sir George Farrar, the leader of the Opposition, has handed us the following correspondence for publication with the consent of the Government. The Colonial Secretary's letter and Sir George Farrar's reply explain the basis of the new settlement of the Asiatic difficulty:—

Colonial Secretary's Office,
Pretoria, 27 January, 1908.

Dear Sir George Farrar,

Will you kindly consult your friends to see whether there would be any objection to registration being re-opened for Asiatics and the chance being given them to register voluntarily as they desire to do, and to dispense with finger prints in the case of educated or well-known Indians? It is probable that Parliamentary ratification of such registration will have to take place, and in the meantime the penalties under the Act will not be enforced against those who register voluntarily. I understand that Asiatics may be willing to make such an offer to Government, and before closing with it we should like to have your concurrence in so doing.

Yours sincerely,
J. C. Smuts.

Sir George Farrar, D.S.O., M.L.A.,
Johannesburg.

Dear Mr. Smuts,
30 January.

I am in receipt of your letter of January 27, and have communicated its contents to my friends.

From it we extract certain questions or suggestions, which I append, together with our replies.

Question No. 1: Is there any objection to registration being re-opened for Asiatics and the chance being given them to register voluntarily as they desire to do?

Answer: No, provided time is limited.

Question No. 2: Is there any objection to dispense with finger-prints in the case of educated or well-known Indians?

Answer: No, provided that other adequate evidence of identity be forthcoming.

Question No. 3: Is there any objection to the penalties not being enforced in the meantime against those who voluntarily register?

Answer: No.

Am I to understand from the concluding sentence of your letter that the Government do not intend to make the above concessions unless they are satisfied that the Asiatic community is prepared to accept the new position?

I desire to make our position in this matter perfectly clear.

We agreed to the law and adhere to it, and its objects must be secured. We would, however, point out that as the present regulations were not submitted to us before promulgation the Government must accept all responsibility in regard to them.

We feel it essential to success that the law be administered with the least possible friction, and as far as possible with due consideration for the responsibilities and difficulties of the Imperial Government.

Believe me, yours sincerely,
George Farrar.

To the Honourable
the Colonial Secretary,
Pretoria.

No. 2.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 9th March, 1908.)

(Extract.)

Governor's Office, Johannesburg, 17th February, 1908.

IN continuation of my despatch of the 3rd instant,* I have the honour to inform you that the voluntary registration of Asiatics under the agreement arrived at between Mr. Gandhi and his friends and the Government is now proceeding steadily in Johannesburg.

2. The agreement, however, was resented by a small section of the Indian community, the so-called "Pathans," a violent and lawless set of men. Some of these persons, I regret to say, committed a brutal assault upon Mr. Gandhi on the 10th instant, as, in the loyal fulfilment of his undertaking to the Government, he was proceeding to the Registration Office in order to set an example to his followers by being the first to accept voluntary registration.

3. Mr. Gandhi, together with two of his friends, was set upon in the open street and rather seriously injured, though I am happy to say that he is reported to be making good progress towards recovery.

4. For a day or two this outrage deterred the rank and file of the Indian community from accepting registration, which otherwise they appeared willing enough to undergo. Since then, however, two of the persons principally concerned in the attack on Mr. Gandhi have been arrested and this seems to have shaken the resolution of the "Pathans," while certain minor difficulties connected with the form of the registration certificates having been got over, the Indians generally are, as already stated, steadily offering themselves for registration.

5. Some trouble is being experienced through the unwillingness of the Chinese residents of Johannesburg to accept the agreement made with the Government, but I do not anticipate that this trouble will be of long duration, and in any case their numbers are not sufficiently large to render their obstinacy a cause of very serious embarrassment.

6. Mr. Smuts dealt with the position taken up by the Government in this matter in a speech made on the 5th of February, a report of which I enclose.

Enclosure in No. 2.

"STAR," February 6th, 1908.

MR. SMUTS AT RICHMOND.

THE ASIATIC QUESTION.

* * * * * * * *

There was one question on which he had come to speak especially, one that had been very much to the fore, especially in the last few days, and he thought this an appropriate occasion on which to review the whole position as it presented itself to-day. He referred to the Asiatic question. When the whole case was before them he was sure they would absolutely approve of their course, and would say that a statesmanlike thing had been done, and that it really was not possible for the Government to do anything save what it had done. This Asiatic question was no new thing—not like the Chinese question for instance, for the Chinese coolies came to the Transvaal only three or four years ago. That matter had only been in its infancy, though it had been assuming prodigious proportions and could be cut clean out of the life of the Colony as it had not sufficiently taken root. But the Asiatic question stood on a different footing. It started after the first war of independence. He need not remind them that the Transvaal had been very much—perhaps over—advertised, and so far back as 1881 the war of independence had carried their fame to the East, and people began to come in from India and other parts of the world. They wanted to put a stop to it, but the Government was unable to do so—they would know why that was. The Transvaal did not receive complete independence under the London Convention of 1881, but remained under the suzerainty of England, and the Indians who came here were very largely British subjects. When the Government of that day wanted to tackle the question the Home Government stepped in and said, "These Indians are our subjects, and you have not, under the terms of the Convention, the power to put them over the border or keep them out of the country." The treatment of the question in the Orange River Colony was quite different, but the Orange River Colony was a sovereign independent State, and could take the Asiatic by the neck and put him out—and keep him out, too. They had been very lax in the Transvaal in those days. He was talking recently to a shrewd old man, who told him that when the first coolies came here he spoke to a merchant, who said, "We have a lot of old stock we can't dispose of, and these coolies would carry it about the country for us and sell it to the Boers and Kaffirs." (Laughter.) Some years afterwards, in 1885, the question had assumed much larger proportions, and by that time the merchants had come to quite a different idea as to the uses of the coolies, and clamoured to have them regulated. The Volksraad passed the first law on the subject—a law very much like the law they had passed last year. They could not put the Indian out because the British Empire sat behind him, but the Government could say, "You will have to register, so that we can know who is in the country and who has the right to be here." Every Asiatic had to pay a certain fee—£25, he thought it was, though later it was reduced to £3. The whole object was to legalise those who were here, and, if possible, to keep the others out; but this was impossible, and the Asiatics streamed into the country till, before the war, they had 10,000 or 12,000—he did not know the exact number—coolies in the Transvaal. When the war broke out many left the country and went away, and the Indian population decreased sensibly, while during the war matters were at a standstill except for some Indians coming in with the army. The Pathans and others were now very clamorous because they came in with the British army and seemed to wish to be taken into a field by himself (the speaker) and General Botha and shot dead. (Laughter.) They had not been fighters but camp followers.

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* No. 1.

After the war—though Mr. Gandhi would not admit it—the stream of immigrants increased very largely, and it became certain that the registration certificates of the old Republic were forged, and, as the terms were not very particular, it was easy that they could be forged. The result was that thousands poured into the country, and the question assumed dangerous proportions. That was the state of affairs in 1906, when the Crown Colony Government felt it right to put a stop to it. Unless they were to follow the fatal course of Natal they had to make a firm stand, and a law was introduced into the Legislative Council and passed. It was identical with the terms of the law passed last year. Was the object to put the Asiatics over the border or expel them or put them in prison? No. Lord Selborne had a long correspondence with the British Government, and this was all in a Blue Book, from which they would see the reasons that actuated the late Government in passing the measure. The object was to register in the most unmistakable way, a way that could not be subject to fraud or forgery, to register every Asiatic who was legally entitled to be here. The object was indeed twofold—to give a definite status to the Indians who were here before the war and to see that the rest of Asia was kept out of the country. What happened? A deputation from the Indian community interviewed the British Government and made a great show of resistance, with the result that the Home Government would not advise His Majesty the King to assent to the law.

That was the state of affairs when the first Parliament of the Transvaal met in March last, and that was the first law tackled; which was the same as that lying in the pigeon-holes of the Government at home. The people of the Colony were anxious to have the measure assented to, and the old law was approved of *verbatim*. If he had done it, provisions would have been included in the law, which, as a matter of fact, were not in it. It was unanimously approved of and, on the unanimous vote of this Parliament, it was assented to. But it was never intended to put people over the border or to put them in prison; the one object was the registration of those who were in the country so that the Government might keep others out.

In what way did the law propose to do that? The law proposed that the Government should notify a period within which Asiatics in this country entitled to register should come forward and register themselves. There was no legal compulsion, but a period was fixed, and after that period had expired no registration could take place. The character of that law was that it should come into force once, and should have its effect once, and once for all. It was a very risky law, because if the Asiatics did not come forward during that period, registration became impossible, and the law became a dead letter. What happened? They put the law into force. Notice was given to Indians to register, and after the period had expired and the Indians had not registered, he added another month. He knew some of them blamed him for that; but he did it because he wanted to give the law and the Indian population in the country every chance. That month also expired, and no registrations took place. Of the 10,000 Indians in the country, only 500 registered. Well, that month also expired, and registration became impossible.

Three alternatives remained to the Government. They might have put them over the border; they could have sent them all to prison; or they could have gone to Parliament again, and said to Parliament, "You have passed a law which was in operation for a certain period; that period has passed, the virtue of the law has gone, and we want further powers." Take the first alternative—putting the Indians who refused to register, over the border. It was not easy putting men over the border. It was not a question for the Transvaal alone, but an international question. As soon as the measure was carried Natal gave notice "No coolie to be sent to us." The Transvaal could not send them to the Orange River Colony; could not send them to Rhodesia; could not send them to the Cape. There was one way open, which might have been open for a brief period. That was Delagoa Bay; but no one knew at what date that gate also might have been closed. It was a very difficult international question—a question which would have given rise to serious complications—and the Government, after full consideration, decided that that course should not be adopted. The next alternative was to put the Indians in prison. He had sent every leader to prison, and hundreds more, and it had had no impression. The policy of imprisonment was a very good policy as a threat, but every sensible man knew it was a policy which could not be carried out in this country. He defied any Government to take 10,000 men by the collar and put them in prison here. There were not prisons enough.

They would have to fill the country with prisons, and that was a course which was not only physically but morally impossible. It was a moral impossibility because he thought it would injure the reputation and prestige of the white people of the Transvaal if they had abused their enormous power they were wielding and put people who had conscientious objections in prison. Well, then, they were at a complete deadlock. It was not the first time that the Government and the people of this country were confronted with such a situation. It is exactly the same position as the old Republican Government had drifted to long years ago. The law of 1885 became a dead letter, and the result was that from 1885 to 1899 the Asiatics in this country were free people. They paid no licences and they did not bother about the laws. They were free people, and quite outside the law. That was the position 14 years ago, and that was the position into which they had drifted now. It was not by the fault of the Government, not by the fault of a party, but because a law had been passed that required the co-operation of the Indian population. They did not give the co-operation; but they simply stood aside. He was describing the danger that was ahead—the same danger that the Republican Government incurred. They knew that he had made some speeches in various parts of the country, and he had put forward an idea. He had said to the Indian population that they had behaved very badly, that they had defied the law of the land, and the Government was going to punish them—of course he had to say that—(laughter)—and they would all go to prison. He said further, however, that if they would come in a body and promise to register and fulfil the objects of the law, then he would advise the Government to reconsider the whole matter. He wanted, by hook or by crook, to carry out the object of that law. He held out the olive branch. He told them that the law had expired, but that the Government would take their voluntary registration and lay it before Parliament. That was the suggestion he threw out at the time. At several meetings he repeated that offer. The Indian leaders who were pining in prison saw the reasonableness of the attitude which he took up, and accepted the suggestion.

The result was that they came forward and they made an offer. They wrote a letter from prison, in which they stated that on certain conditions they were prepared to come forward in a body—the whole Asiatic population of the Transvaal—and register within a limited period—within, say, three months. What were those conditions? They had been told by some papers on the Rand that the Government had climbed down, that a miserable fiasco had been made of this question. He wanted them to scrutinise very carefully the terms. The first was that the Asiatics wanted to register voluntarily, and not under the law. Well, that was the exact position. Voluntary registration was the only course open. So he (Mr. Smuts) said "All right," because there was nothing dishonourable to the Government in that; the offer of the Asiatics to register voluntarily reflected exactly the legal position to-day. Their second condition was that to certain Indians—men well known, educated, and who had property—a dispensation should be given from the system of finger-prints which was fixed in the regulations. He was rather astonished at this condition, he must say, because he was led to think, and he had some reason for thinking, that his predecessor, Mr. Duncan, was willing to make this concession when the original regulations were framed, and was willing to accept the signatures of Indians of learning, of property, and well-known public character. But he understood also that the Indians had refused that offer. If he had for a moment thought, when the original regulations were drafted, that this point would have satisfied the Indians, he would at once have conceded it. He did not want every man to put down ten fingers, because there were certain among them of whom it was unnecessary. So that when this condition was put to him he did not think anything of it. There was no trouble about it. He might say, in common fairness to the leaders of the Indian community who put forward this proposal, that they themselves, from Mr. Gandhi downwards, were not going to give their signatures, but were going to give their finger-prints. (Hear, hear.) It was fair to state that otherwise the charge might be made that they had left the Indian population in the lurch by bargaining for themselves. And he thought they would ultimately find that when the registration was complete very few Indians had registered in any other way than by giving their finger-prints. (Applause.)

Now, he asked them, who had given in? Who had climbed down? (A voice: "Both.") Well, listen. It was a small question. The position he took up before them, and in all his public life, was that the man who could not climb down was a very small and contemptible man. (Hear, hear.) If one had an object to achieve, whether they went this way or that way, so long as they achieved it let them be satisfied. And if one made a mistake the sooner one climbed down the better. So he did not object to climbing down. People had often accused him of being rather given to the practice of climbing down, but he was also given to the practice of securing his object at the same time. They would remember that the position he took up from the start was that any means of identification for the Indian population of the Transvaal other than the ten finger-prints was insufficient. He might have been wrong in that opinion, but he had gone on the advice of such experts as he could get. The Indians said they would never submit to that system; they said it was only used for criminals in India, and their opposition for a long time was based entirely on that point. They had now submitted—to their honour be it said—they had learned more wisdom, and had seen that it was not criminal and not dishonourable; they had recognised that it had been working here with the Chinese, in Natal with the indentured Indians, and that it was used in India in many instances. He did not object to climbing down when it was necessary, but his hearers would see that in this connection the Government had achieved what they had been contending for. The Indians' second contention was that they would never register until the law had been repealed, that the law was an indignity and disgrace. He had told them that the law would not be repealed so long as there was an Asiatic in the country who had not registered, and like wise men the leaders of the Indian community had waived the question of repeal. Until every Indian in the country had registered the law would not be repealed. They saw that the law which had been passed by two different Governments in the Transvaal had for its object to get the Indians to register effectively. Under the settlement which had been effected by the Government, that object would be achieved, and every Indian in the country would have to register themselves. What could never be done by the Republican Government had now been done by a little give and take on both sides, and he thought the settlement was honourable to both sides. A member of the audience had asked him what about the Indians of the future. His reply was that the Indians of the future would never come here. They had passed two laws last session which aimed at the same object. One was to register all the Indians who were here legally; the other was to close the door finally on the others.

No Asiatic in future could come into this country unless he was a resident of the Transvaal before the war. The British Government had assented to this Immigration Law. He thought that it was the most drastic Asiatic Law that had ever been passed in the British Empire, a law that completely and finally shut the door from India. No British Colony had such a law, and he was agreeably surprised that His Majesty's Government had not objected to it. All praise to the British Government. The British Government had behaved with the utmost correctness all through this most troublesome question. They never troubled the Government here; they knew that here the question was being dealt with as wisely and firmly as possible. The only communication that was received from the Home Government was that giving the details of the system of registration in India. The Indian question was an enormous question for the British Empire. They knew that they belonged—if he might say so without offence—to a largely black Empire. The majority of the people of the British Empire were not whites, but were coloured and blacks, and that was a fact they must never forget when they criticised the British Government and blamed them for taking up the cudgels for the black and coloured people. Whilst he was praising the British Government, he wished to go a step further, and also praise the Progressive Party, who might have taken up the attitude of saying that the Government had made a muddle over the question, and would simply sit still and criticise. That was the position they could have taken up if they were small and petty, but they did not.

He thought they would agree that if the Government had taken any other course than they had taken they would have made a great mistake. (Hear, hear.) A weak Government would have done otherwise, but when they went to Parliament three months hence they hoped to have the registration of every Asiatic in this country. They wanted to put that before Parliament, and to say, "This work has been done. You will ratify it if you will." In doing that he said they had done well, and deserved well of the country. This Indian question was in the hands of the people. The Government of the country ought to be fair, in spite of the colour of a man's skin. When a man had a vested right in the country, the Government of the country had to recognise that right. If they thought he was a pestilence, the matter was in their hands. They could buy from whom they liked, and do what they liked. He (Mr. Smuts) did not interfere with them. He did not incite them to boycott Indians. He gave them no advice. They knew what was best. But, as a Government, they had to hold the balance correctly between the two sections of the community, white or black, their party or the other party, and for the Transvaal Government to have wantonly oppressed a certain section of the population, or deprived it of its rights, would have been a criminal blunder, and he was glad to say they had not committed that blunder. (Applause.)

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No. 3.

INDIA OFFICE to COLONIAL OFFICE.

(Received 12 March, 1908.)

[*Answered by No. 4.*]

SIR,
India Office, Whitehall, London, S.W., 12th March, 1908.

I AM directed by Mr. Secretary Morley to acknowledge the receipt of your letter of the 11th ultimo,* respecting the position of British Indians in the Transvaal. I am, at the same time, to transmit, for the consideration of the Earl of Elgin a copy of correspondence on this subject received from the Government of India. The settlement of the registration question has, it may be presumed, removed the principal cause of friction in the Colony, but Mr. Morley desires especially to invite the attention of Lord Elgin to the observations made by the Government of India, particularly with regard to the effect produced in India by recent events in South Africa.

Government of India letter, No. 9, dated 30th January, 1908, with enclosures.
Secretary's letter, dated 6th February, 1908, with enclosures.*
Secretary's letter, dated 20th February, 1908, with enclosures.*

Mr. Morley trusts that His Lordship may be willing, in accordance with the request of the Government of India, to impress upon the Government of the Transvaal the great importance of so administering the law as to remove the impression now widely prevalent in India that British Indian subjects lawfully resident in the Transvaal are exposed to vexatious treatment, and that His Majesty's Government is unable to protect them.

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* Not printed.

Mr. Morley feels that it is unnecessary to assure Lord Elgin of the satisfaction with which he learned that an amicable settlement of the registration question had been rendered possible by the conciliatory attitude of the Colonial Government, and the reasonable disposition of the Indians affected. But it appears, nevertheless, to be desirable that Lord Elgin should be acquainted with the views expressed by the Government of India on the general position of British Indian subjects in the Transvaal, in which Mr. Morley concurs, and in which he feels sure that the Secretary of State for the Colonies will sympathize.

I have, &c.,
A. GODLEY.

Enclosure 1 in No. 3.

No. 9 OF 1908.

GOVERNMENT OF INDIA.

DEPARTMENT OF COMMERCE AND INDUSTRY.

EMIGRATION.

To the Right Honourable JOHN MORLEY, O.M.,
His Majesty's Secretary of State for India.

SIR, Calcutta, the 30th January, 1908.

IN our telegram of the 7th January, 1908, we repeated, for your information, and for such action as you might consider desirable, a telegram which had been addressed to His Excellency the Viceroy by the President, All India Conference, Surat, appealing for intervention on behalf of the British Indians in the Transvaal, against whom prosecutions had been instituted under the Asiatic Law Amendment Act, 1907. We have since received from different quarters further representations on the same subject, and we enclose copies* for your information.

2. These representations do not exhaust the indications, which have come to our notice, of the existence in this country of a deep and general feeling of resentment evoked by the legislative and executive measures recently adopted in the Transvaal in regard to British Indian residents of that Colony. The disabilities to which these subjects of His Majesty are exposed have been discussed at public meetings throughout the country, and they have formed the subject of severe criticism alike in the Anglo-Indian and vernacular press. The principle underlying the legislation recently adopted is indeed regarded as involving an unjustifiable invasion of the rights which Indian subjects of His Majesty are entitled, as such, to claim in any part of His Majesty's dominions. But it is more particularly in regard to the measures which it is proposed to introduce with a view to give effect to the principle of excluding British Indians from the Colony that the strongest feeling has been aroused. It is urged that these measures constitute a breach of the pledges which have been given to British Indians already resident in the Colony; that they are in diminution of rights enjoyed by them even under the *régime* of the late Transvaal Republic and since recognised during the period of Crown administration, and, finally, that many of the provisions of the new Registration law, the circumstances attending its enactment after a disallowance by the Crown of an Ordinance embodying substantially similar restrictions, and more particularly the official announcements in regard to its administration, point to the inevitable conclusion that it will be enforced, as we believe it so far has been enforced, with uncompromising severity, in direct contravention of the assurances as to the intention with which such legislation was originally proposed to His Majesty's Government. On the effects of this aspect of the case it is perhaps unnecessary for us to insist. On a previous occasion, in 1903, when the Government of India were constrained to address the Secretary of State in regard to the position of British Indians in the Transvaal, Lord Curzon's Government clearly brought to notice the existence of a very strong and bitter sentiment amongst the educated and articulate

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* Not printed.

sections of the native community throughout India on the subject of the disabilities imposed on their countrymen resident in South Africa. The further developments of an attitude of hostility towards British Indians which have taken place in the interval in South Africa and elsewhere have only served to render this sentiment of resentment more general and more pronounced. We have no desire to exaggerate its effects; but it would be idle, we consider, to ignore the significance which, in the altered political conditions obtaining in India, must necessarily attach to the growth among the Indian subjects of His Majesty of a feeling that they are denied the privileges and rights usually regarded as the birthright of a British subject.

3. The disabilities to which at the close of the war British Indian subjects were subjected in the Colonies of the Transvaal and of the Orange River were exhaustively reviewed in the despatch of Lord Curzon's Government, No. 18 (Revenue and Agriculture) of the 14th May, 1903.* Realising that their removal at that time would not only be a less formidable task than subsequently when these Colonies had passed from under the direct administration of the Crown, but that it might also not improbably prepare the way for a more generous treatment of British Indians when the Colonies should be given the responsibilities of self-Government, the Government of India invited special attention to four subjects in regard to which the position of British Indian subjects resident in these Colonies called for consideration. They trusted that, if legislation on the lines of the Immigration Restriction Acts in force in the other Colonies of South Africa were introduced, the literary test to be applied to immigrants would be defined so as to include the Indian vernaculars. They pressed for the abolition of the Pass Law and its corollary, the curfew system, for which they considered that the only justification could be found in practices of a persistently criminal nature. Thirdly, they asked that residence in locations should be made compulsory only upon Indians in whose case the restriction was desirable for sanitary reasons, and that, in any event, such a measure should not apply to places of business. Their fourth recommendation referred to the disabilities imposed by regulations as to the use of footpaths and of public conveyances, and as to the right to travel by higher classes on railways. In regard to these, while recognizing that many of the restrictions so set up were beyond the control of Government, the Government of India urged that no official countenance should be lent to such invidious treatment; and in this connection they suggested that the practice of grouping all classes of Indians indiscriminately under the generic term of coolies should be abandoned.

4. These recommendations of the Government of India formed the basis of negotiations between the India and the Colonial Offices into which we need not enter, and it will be sufficient to refer to the resulting position as it was explained to Lord Milner in Mr. Lyttelton's despatch of the 20th July, 1904.† A distinction was drawn between future immigrants and British Indians then resident in the Transvaal. In regard to the former His Majesty's Government reluctantly agreed that it would be impossible for them to withhold their sanction to a measure restricting immigration on the lines of similar Acts in force in the Cape Colony and in Natal, the test in a literary Indian language being excluded. With respect to the latter, His Majesty's Government desired that there should be no interference with the right of those then resident in the country to obtain licences to trade outside locations; that while regulations might be framed to require both residents and newcomers to live in locations, so far as such a requirement was necessary for sanitary purposes, those of a superior class should be exempted and be allowed to reside anywhere; that concessions respecting the exemption of Asiatics of the better class, including all respectable shop-keepers and traders, from humiliating disabilities under municipal or other regulations applying to coloured persons should be definitely secured by Ordinance. With reference to these latter restrictions, it had already been explained in a telegram from Lord Milner, dated the 20th January, 1904,* that the Pass and Curfew law had never applied to Indians; that the restrictions as to the use of footpaths would under the recent municipal regulations only be imposed in the case of natives; that the laws as regards the use of public conveyances would be repealed, while it would be difficult to agree to any withdrawal of the restrictions as regards the right of British Indians to travel in higher classes on railways.

5. The subsequent stages in the history of the proceedings culminating in the

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* Not printed.

† No. 4 in [Cd. 2239]: page 44.

Ordinance of 1906, which was disallowed by His Majesty's Government, do not immediately concern the object of our present communication to you, and we pass to the two measures affecting British Indians which were introduced into the new legislature on the grant of responsible institutions to the Colony. The first of these, the Asiatic Law Amendment Act of 1907, is in all essential matters identical with the Ordinance disallowed by His Majesty's Government, and while signifying that His Majesty would not be advised to exercise his powers of disallowance with respect to the Act, Lord Elgin desired to place on record that His Majesty's Government did not consider the position of Asiatics lawfully resident in the Transvaal as settled by this Act to be satisfactory.[*] The definition of Asiatics for the purpose of this enactment reproduces a classification adopted in the Boer Law of 1885 by which all classes of Indians are grouped under the generic term of coolies. By the new measure registration is made compulsory in the case of all Asiatics above the age of 8, and is enforceable by severe penalties, and no trading licences are to be granted to Asiatics except on production of certificates of registration. These certificates are to be produced on demand by any member of the police force or any person specially authorised in this behalf. The method of registration is left to be provided for by regulations, and, though as yet no copy of these has reached us, we infer from the papers forwarded with your despatch, No. 166, dated the 25th October, 1907, that the impression of finger-prints is to be required alike in the application for registration and the certificate of registration. The second measure which has been adopted is the Immigration Restriction Bill. The stringency of this measure, as compared with similar enactments in force in the Cape Colony and Natal, is admitted by Lord Selborne in his telegram of the 11th July, 1907.[†] No exemption is provided for in favour of Asiatics lawfully resident in the Colony unless the provisions of the Asiatic Law Amendment Act have been complied with. The penalties for unlawful immigration are far more severe than those prescribed in the Acts of other Colonies. Though the Act does not differentiate against Asiatics by name, the definition of prohibited immigrant singles out the Asiatics as the object of the measure. While we were strongly opposed to the principle of the Bill, we telegraphed to you on the 5th of November, 1907, that we recognised that the matter must be decided on other considerations than the interest of British Indian subjects alone.

6. In the brief sketch given in the preceding paragraphs we have contrasted the present position of British Indians in the Transvaal with their position after the annexation of the Colony and the contrast fails to reveal any modification which can fairly be regarded as an improvement. Access to the Colony, the right to which under the *régime* of the late Republic had been enjoyed unfettered by any condition, is now closely regulated and controlled by a stringent Immigration Restriction Bill; residence in the Colony is, in the case of British Indians, conditional on compliance with a system of registration enforceable by an enactment which replaces a loosely worded and vague law of doubtful application. On the other hand, so far as our information goes, many petty harassing disabilities, notably those connected with the right to travel by the higher classes of railways, remain unredressed. The legislation which has since taken shape in the two enactments referred to above was originally proposed to His Majesty's Government with the object and in the expectation that the regularisation of the conditions of admission and of residence applicable to British Indians would result in bettering their position. This expectation, we fear, has so far not been realised. We appreciate the peculiar difficulties which surround the question, and we recognise that the determination of the Colony to prevent an excessive influx of Asiatics must, however much we may regret it, be respected. We do not, however, consider that this determination is inconsistent with a less severe treatment generally of Asiatics and in particular of the better class of Asiatics lawfully resident in the Colony. We are of opinion that an endeavour should be made to induce the Colonial Government to relax the stringency of the provisions of the two Enactments in question, and to secure that in future these provisions may be liberally interpreted and leniently enforced by the authorities charged with their administration. We would, in illustration, refer to the requirement of Section 9 of the Asiatic Law Amendment Act, which provides that a certificate of registration must be produced on demand by any member of a police force or any person authorised in this behalf. This provision of the law presents

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[*] See No. 7 in [Cd. 3887]: page 9.

[‡] No. 9 in [Cd. 3887].

a certain similarity to the Pass Law to which reference was made in paragraph 11 of the despatch of Lord Curzon's Government of the 14th May, 1903. We were informed that this Pass Law did not apply to Indians, and we hope that it may be possible by executive instructions from the Colonial Government to give this requirement as limited and restricted an operation as is consistent with the necessities of the case. We would also ask that consideration may be given to the possibility of modifying the existing restrictions so as to include a differentiation in favour of literate Asiatics. A distinction in favour of the Asiatics of the better class was one of the points on which insistence was laid in Mr. Lyttelton's despatch of July, 1904, in connection with the restrictions on the residence of British Indians in locations, and we consider that a similar distinction should be recognised so as to provide for the exemption of literate Indians from restrictions intended primarily to apply to those of a lower class. We would also observe with reference to the question discussed in the minute accompanying Lord Selborne's despatch of the 8th July, 1907, that while it is true that the system of finger-print impressions is generally enforced in India, it is only in the case of criminals that impressions of the thumb and of each digit of each hand are taken. In the transactions connected with pensions the standing rules of the Indian Accounts Department provide only for the taking of the impression of the thumb and fingers of the left hand, while the impression of the left thumb alone is required from persons executing documents before Registrars. The feeling of indignation with which British Indians in the Transvaal regard an obligation to comply with a method of registration usually associated in their native country with the criminal classes can be easily understood.

7. In view of the absence of detailed information of a recent character, and of the consideration that the general principles at stake have in the past been most fully discussed, we have refrained from entering at greater length into the specific grievances of the Indians in the Transvaal. We desire, however, to insist most strongly on the fact, which is admitted by His Majesty's Government, that the present condition of our Indian subjects in South Africa cannot be looked on as other than most unsatisfactory. The new legislation while professing to be directed towards the confirmation of the rights of those already lawfully in the Transvaal, is obviously of a nature calculated, if worked on the present lines, to limit their privileges to an extent that the old law of 1885, the operation of which was so often called in question, did not effect. It may probably, in the long run, result in the expulsion of the majority of them. We recognize that the time has passed when any protest against the legislation itself could be proper or effectual. But it is not, we trust, too late to make an earnest appeal that you will endeavour to secure that the actual administration of the law, which is entirely within the control of the Government of the Colony, may be made less onerous, and especially that respectable and literate Indians may not be subjected to the harassing restrictions and limitations that are imposed on those of a much inferior class. We fully recognize that the present agitation, which has culminated in the refusal, on the part of those made liable to registration, to comply with the law, may have been accompanied by demands which exceed the limits within which we have in the past considered interference justifiable and with which it is impossible to comply. But it cannot be denied that there are at the bottom real grievances resulting from harshness and unnecessary severity, which friendly intervention might succeed in removing. We consider that we should fail in our duty if we refrained from specially addressing you with a view to securing the removal or the mitigation of these grievances. The matter is one of the highest importance, and we need not attempt to describe the deplorable state of feeling that will be created if it be once for all established that the Government is unable to protect its Indian subjects from worse treatment than they have had to endure in the same country under foreign rulers.

We have, &c.,
MINTO.
KITCHENER.
H. ERLE RICHARDS.
E. N. BAKER.
H. ADAMSON.
J. F. FINLAY.
J. O. MILLER.

No. 4.

COLONIAL OFFICE to INDIA OFFICE.

SIR, Downing Street, 1 April, 1908.

I AM directed by the Earl of Elgin to acknowledge the receipt of your letter of the 12th March,* enclosing a copy of a despatch from the Government of India with regard to the position of British Indians in the Transvaal.

2. This despatch is dated the 30th of January, and was accordingly written without reference to the settlement which has been effected regarding the matters immediately in dispute under the Asiatic Law Amendment Act, 1907. Mr. Morley will no doubt agree with Lord Elgin in thinking that in connection with that settlement the Government of the Transvaal showed every desire to do justice to the difficult position in which His Majesty's Government is placed in relation to the whole question. His Lordship, however, recognises the importance of supplying the Colonial Government with full information as to the feeling of the Government and people of India on the subject, and he proposes to forward copies of your letter* and its enclosures and of this reply to the Governor in order that there may be on record a full statement of the situation with which His Majesty's Government have to deal.

3. The immediate causes of friction have been removed by the recent settlement. The exact meaning and effect of the arrangement is not yet altogether clear, and will not be clear until it is seen what amendments of the regulations framed under the Asiatic Law Amendment Act are to be made. So far, however, as can be judged from the telegrams printed in Cd. 3982, the settlement seems to be on the lines of the suggestions for the amelioration of the position of Asiatics put forward in the sixth paragraph of the despatch from the Government of India. Thus the Transvaal Government have agreed to differentiate in favour of Asiatics of education, property or position, not only as regards the Asiatic Law Amendment Act but also, as will be seen from the Governor's telegram of the 24th of January (printed at page 82 of Cd. 3887), in connection with the grant of temporary permits to visit the Transvaal under the Immigrants Restriction Act. It would further appear, both from the general character of the settlement and from the specific undertaking, that no question against which Asiatics have religious objection should be pressed, that the stringency of the provisions of these Acts and of the regulations under them will be materially relaxed. And it may be added, as regards the reference in the despatch to Section 9 of the Asiatic Law Amendment Act, that it appears from the Colonial Secretary's Memorandum, printed at page 59 of Cd. 3887, that the Transvaal Government was at that time prepared considerably to modify the requirements of that section as to the production of certificates on demand. Lord Elgin trusts that they will be willing to offer similar concessions now, and the attention of Ministers will be specially directed to the point.

4. Lord Elgin is fully alive to the disabilities, unconnected with the Asiatic Law Amendment and Immigrants Restriction Acts, to which Asiatics in the Transvaal are still subjected. In such a matter, however, the governing factor must necessarily be the state of public opinion in the Colony, and in Lord Elgin's judgment it would be useless at the present time to endeavour to secure further concessions for resident Asiatics.

5. His Lordship, however, thinks it fair to observe that Section 21 of the Registration Act, by permitting the transmission of fixed property acquired before the taking effect of Law No. 3 of 1885, actually removed an existing disability. It must also be remembered that the more liberal interpretation (*vide* Appendix to Cd. 2239) given to the words "ter bewoning" in the Law of 1885 by the judgment of the Supreme Court of the Transvaal in 1904 has dispelled the principal standing grievance specially objected to on behalf of Asiatics before the annexation of the Colony, and restored to them a right which the good offices of His Majesty's Government had previously been unable to secure.

I am, &c.,
FRANCIS J. S. HOPWOOD.

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* No. 3.

No. 5.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 16.]

MY LORD, Downing Street, 1 April, 1908.

I HAVE the honour to enclose, for the consideration of your Ministers, a copy of a letter* from the India Office with a copy of a despatch from the Government of India respecting the the position of British Indians in the Transvaal. A copy of the reply† which I have caused to be returned to the India Office is also enclosed.

India Office, 12th March.

2. It will be seen that the Government of India enumerate a number of points on which they desire that Asiatics should receive more favourable treatment. On some of these points your Ministers have already taken action which will meet the objections of the Indian Government, and I feel confident that, as far as lies in their power, they will endeavour by their administrative action generally to avoid any harshness in the application of the law.

3. The despatch from the Indian Government draws special attention to the requirements of Section 9 of the Asiatic Law Amendment Act with regard to the production of registration certificates on demand. You will see that I have caused the attention of the Secretary of State for India to be drawn to the Colonial Secretary's memorandum of the 11th of November last (printed at page 59 of Cd. 3887), and I trust that your Government will be willing to offer now the concessions which they were then prepared to make in regard to this particular matter. I should be glad to learn that the view which I have taken is correct.

I have, &c.,
ELGIN.

No. 6.

THE SECRETARY OF STATE to THE GOVERNOR.

[*Answered by No.* 10.]

MY LORD, Downing Street, 14 May, 1908.

I HAVE the honour to transmit to you copies of a question and answer in the House of Commons, respecting the effect of certain clauses of the draft Gold Law upon the position of coloured persons, including British Indians.

I should be glad to learn whether the clauses referred to in the question involve any curtailment of the rights of such persons.

I have, &c.,
CREWE.

Enclosure in No. 6.

House of Commons, 13 May, 1908.

Mr. HAROLD COX,—To ask the Under Secretary of State for the Colonies whether his attention has been drawn to the Transvaal Government Gazette Extraordinary of the 30th March, 1908, containing the draft of the new Gold Law of that Colony, and particularly to Sections 127 and 128; and whether the effect of the proposed new law will be to deprive coloured persons, including British-Indians, of the right they now possess to trade and reside in the mining districts of Johannesburg, Boxburgh, and Krugersdorp, and compel them to remove for both trade and residence into compounds, locations, or bazaars.

Colonel SEELY: Yes, sir. I do not think that the law will deprive Indians of the rights which they now possess, but the Secretary of State is communicating with the Governor with regard to these clauses.

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* No. 3.

† No. 4.

No. 7.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 3.7 p.m., 2 June, 1908.)

Telegram.

[*Answered by No.* 8.]

2nd June. No. 1. Question in Parliament as to alleged decision of your Government to exclude from Transvaal unless they comply with registration law some 5,000 British Indians absent from Colony but entitled to return. I have answered that I cannot suppose that Transvaal Government at any time contemplated such an addition to resident Indian population; but I should be glad to have report on the subject by mail.—Crewe.

No. 8.

The GOVERNOR to the SECRETARY OF STATE.

(Received 12.5 p.m., 16 July, 1908.)

Telegram.

16th July. No. 1. Your telegram of 2nd June, No. 1.* Ministers state that it is not intended to prevent the return to the Transvaal of British Indians who belong to any of the classes as described in sub-section 2 of Section 3 of Act 2 of 1907, and who comply with the Laws and Regulations in force governing the immigration and registration of Asiatics.—Selborne.

No. 9.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 6.10 p.m., 24 July, 1908.)

Telegram.

[*Answered by No.* 13.]

24th July. No. 1. I am informed that six Asiatic leaders and eight hawkers have been arrested for refusing to comply with formalities of Registration Act. I should be glad to have a report on the position.

Please also report at the same time as to case of Shapurji, stated to have been refused permission to register though possessing educational qualifications.—Crewe.

No. 10.

The GOVERNOR to the SECRETARY OF STATE.

(Received 5.25 p.m., 27 July, 1908.)

Telegram.

27th July. A. Referring to your telegram of 23rd July, No. 1,† draft Gold Law has now been referred to Select Committee of House of Assembly. Ministers state that it is impossible therefore to anticipate the eventual form in which the provisions that are objected to will come before Parliament, but Ministers anticipate that no vested rights will be interfered with.—Selborne.

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* No. 7.

† Not printed: asked for reply to No. 6.

No. 11.

SOUTH AFRICAN BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received July 29, 1908.)

28, Queen Anne's Chambers, Broadway, Westminster, S.W.,
July 27, 1908.

British Indians in the Transvaal.

SIR,

I HAVE the honour to forward you a copy of correspondence between the Colonial Secretary of the Transvaal and Mr. M. K. Gandhi on the subject of the Registration Law (The Asiatic Law Amendment Act) of that Colony.

In view of recent developments in the situation I would respectfully commend the said correspondence to your careful attention.

I have, &c.,
L. W. RITCH,
Secretary.

Enclosure in No. 11.

CORRESPONDENCE BETWEEN MR. GANDHI AND THE COLONIAL SECRETARY, Pretoria.

DEAR MR. SMUTS,
Johannesburg, February 1, 1908.

AFTER the conversation that Mr. Chamney had with me on Thursday, I sought an interview with you again, and Mr. Lane told me that I would be able to see you before I went. I was not, however, fortunate enough to do so.

The conversation with Mr. Chamney made me a little uncomfortable because he still harped away on the Asiatic Act. Indeed, from him I gathered that the registration that will now proceed will be legalised under that Act. At the interview with you, I did not understand any such thing at all, and the joint letter of Messrs. Quinn, Naidoo, and myself, too, makes it clear. I am most anxious to see this business finished without the slightest difficulty, and with perfect satisfaction to yourself. I am, therefore, naturally most anxious to avoid any misunderstanding. Pray believe me also when I say that I shall leave no stone unturned to remove the difficulties in your path owing to the clamour of anti-Asiatic agitators. May I, therefore, ask you to be good enough to reassure me on the point? To legalise voluntary registration under the Asiatic Act would be to re-open the question at the sorest point. You were good enough to tell me that the method of legislation will be discussed later on as between us. I have already suggested that the best way to do so would be under the Immigrants' Restriction Act by amending it in so far as may be necessary.

I take it, too, that the form of application and registration will be settled in consultation with the leaders of the community, and that this will be done as quickly as possible, so that registration may proceed.

I left a message, too, with Mr. Lane with reference to the ten finger prints. I discussed this with Mr. Chamney, and he could show absolutely no justification for the ten finger prints. Indeed, he admitted that, for identification, one thumb impression was quite sufficient. While to me, personally, it is immaterial whether thumb prints or digit impressions be given, there are many amongst the Asiatics to whom the latter present an impassable difficulty, and, as I know you want only effective identification, I do hope you will accept thumb impressions. In answer to my enquiry, I have now received telegrams from the Protector of Indentured Immigrants and the Principal Immigration Restriction Officer in Natal. The Protector says: "The system of taking ten finger impressions from indentured Indians on arrival commenced in April, 1903, on being found desirable." The Immigration Restriction Officer, who controls the immigration of free Asiatics, has replied as follows: "Referring to yours of date both thumb impressions only required for certificates issued in this Department."

You will now see that the information given to you by Captain (?) Clarke is incorrect. The distinction observed by the Immigration Department and the Protector's Department, too, is most valuable testimony in favour of my contention. The Protector has to deal with a class of Asiatics who have every temptation to hide their identity. Classification in their case is, therefore, necessary. The Immigration Department has to deal with a class of Asiatics and others who have always to prove their identity in order to make good their claim to enter or remain in Natal. Hence that Department requires only thumb impressions. Does not this show conclusively that you do not need digit impressions at all? and as my expert adviser tells me, the system of classification, besides being totally unnecessary, is costly compared to the system of identification merely. At the Cape, too, only thumb prints are required. And, in this connection, I do wish to impress upon you the fact that the question of discretion is an element which will lead to favouritism and even fraud ultimately. A man who may be perfectly wealthy, I need hardly point out, is not necessarily an honest man, and yet, because he may be known otherwise, his signature alone will be accepted. To my mind, the only exception that should be made should be in the case of those who may be able to pass the education test prescribed by the Immigration Act. These, of course, carry identification on their own persons, but with reference to the others, speaking from experience, I urge that the discretion be dropped; but if you insist on ten finger prints there will be applications wholesale for the exercise of discretion, and I am positive, armed as I am with expert opinion on finger impressions, that you do not need ten finger prints for identification.

I also venture to suggest that the open permission to Indians to trade without licences will give rise to bickerings amongst the Colonists. Do you not think it will be better either to issue licences or to take from them deposit of licence fee against provisional receipts?

I hope I have done the proper thing in adopting a familiar tone in writing this letter, which is purely personal and confidential, and your reply will be also so treated. If in any of the public statements I have been making you think that I have been at all indiscreet, pray correct me.

I am, &c.,
M. K. Gandhi.

General J. C. Smuts,
Pretoria.

Dear Mr. Smuts, February 22, 1908.

In accordance with the permission given by you, I now take the opportunity of sending you a draft Bill to amend Immigration Restriction Act. No. 15, of 1907. The draft, in my opinion, meets the situation entirely. The time is ripe for me to submit it, inasmuch as there is every evidence now of the Asiatics loyally accepting the compromise.

You will see that some of the rights given by the Asiatic Act have not been availed of by the draft; for instance, Asiatics who were in the Transvaal on the 31st day of May, 1902, are, under the Act to be repealed, entitled to registration, whereas, under the draft now submitted, they are not. I have omitted them advisedly because it exposes Asiatics to temptation. I have assumed that those who were in the Colony on the 31st day of May, 1902, must have by the time voluntary registration is completed availed themselves of it. There could not be many outside the Colony who were in it on that day and have not yet returned. If, however, there are any exceptional cases, they can be dealt with under the last clause of the amendment of paragraph G. On the other hand, I have ventured to specifically protect Asiatics who paid £3 to the old Government before the war, because, although they are not mentioned in Act 2 of 1907, it always was the intention to protect them, and holders of such certificates who are without the Colony cannot now number more than one hundred.

The clause about temporary permits has been taken over from Act 2 of 1907. I have ventured to import into the draft Bill a section dealing with the Church Street property held by the late Aboobaker Amod. As you are aware, the section in Act 2 of 1907 proved abortive. A section of that description may not appear in its place in an Immigration Bill but, as the Law repeals the Asiatic Law Amendment Act, the relief sought to be granted under that Act might well be granted in a repealing Bill. I am sure that you would be pleased to restore to the heirs ownership of their inheritance. As you may be aware, the property is leased to a European firm, and is being entirely used by Europeans, and the building thereon is in every way a credit to the principal street of Pretoria.

I have omitted to take over from the Asiatic Act the section supposed to give relief with reference to liquor. I, personally, think that it is perfectly useless, and should never have formed part of the Act.

I know that you are going to amend Section 6 also of the Immigration Restriction Act. I was almost going to submit a draft amendment, but, on second thoughts, I considered that it was not my place to do so. May I, however, suggest that the power of removal be changed into authority to the Magistrate to convict persons who may disobey the order to leave, and to imprison them until they would leave the Colony of their own accord and at their own expense. I think that that is the utmost that a civilised Government can possibly do. If Section 6 is amended in the manner above indicated, Section 11, and Sub-Section F of Section 15, will require corresponding amendment.

There now remains for me to point out that, according to my reading of the Immigration Restriction Act, Malays and Cape coloured people become prohibited immigrants. I hardly think that such was the intention of the Government. I should imagine that they would be protected the same as descendants of the aboriginal races of Africa, as per Clause H of Section 2.

In my opinion, no further amendments would be necessary in order to carry out the main purpose of the Asiatic Act in the way of inspection and in the way of restriction of licences, only to those who are not prohibited immigrants, because both these are already more than provided for under the Immigration Restriction Act. Every person applying for a licence will have to prove that he is not a prohibited immigrant, and the officer appointed under the Immigration Restriction Act will have the power to put to proof any person suspected of being a prohibited immigrant.

If there are any Asiatics who do not avail themselves of the voluntary offer, I do not think, in view of the amendment suggested by me, that you require the use of the Asiatic Act to deal with them, because they will, *ipso facto*, become prohibited immigrants, and would, therefore, be liable to an expulsion order. Those who are outside the Colony and are, because of their former domicile, entitled to re-enter, although they may not possess educational qualifications, are, as you will notice under the draft submitted by me, required to take out a registration certificate according to the voluntary form within seven days of their arrival.

I remain, &c.,
M. K. Gandhi.

General J. C. Smuts,
Colonial Office,
Pretoria.

Immigration Restriction Bill.

To Amend Act No. 15 of 1907.

1. Section one of the said Act is hereby repealed and replaced as follows:—"The Peace Preservation Ordinance, 1903, the Asiatic Law Amendment Act, No. 2 of 1907, and Sub-section (c) of Article two of Law No. 3, of 1885, as amended by Volksraad Resolutions, Article 1419, of the 12th day of August, 1886, and Article 128 of the 16th day of May, 1890, are hereby repealed, provided that nothing done under the said Ordinance, Act, or Law before such repeal shall be affected by such repeal."

2. Paragraph (g) of Sub-section one of Section two is hereby repealed and replaced by the following:—"Any Asiatic who has obtained a certificate of registration under the Asiatic Law Amendment Act, 1908, or any Asiatic who has obtained before the day of a certificate as per form hereto attached and described in Schedule A, or any Asiatic who, not being within the Colony, is in possession of a permit or registration certificate lawfully issued to him, and of which he is proved to the satisfaction of the Immigration Officer to be the lawful possessor, and who shall within seven days after entering the Colony apply for a certificate as per Schedule A, or any Asiatic who is considered by the Minister as eligible for such certificate, and who does not come within the scope of Sub-Sections 3, 4, 5, 6, 7, or 8 of the definition of 'prohibited immigrant' as in the said Act 15 of 1907.'"

3. The Minister shall have the power from time to time to issue temporary permits to enter and remain in the Colony to any "prohibited immigrant."

4. Portion of Erf. No. 373, Church Street, Pretoria, which was registered in the name of the late Aboobaker Amod, and which is at present registered in the name of Henry Solomon Leon Polak, may be transferred in favour of the heirs of the late Aboobaker Amod, notwithstanding anything to the contrary in Law 3 of 1885 as amended by Volksraad Resolutions, Article 1419, of the 12th day of August, 1886, and without payment of further transfer duty.

DEAR MR. GANDHI, Pretoria, March 12, 1908.

WITH reference to your letter of the 22nd February, covering a draft Bill to amend Act 15 of 1907, I have been asked by Mr. Smuts to let you know that he is much obliged for the draft. Mr. Smuts, however, has his hands pretty full of other matters at the present time, and has not yet had time to go into the question.

Yours faithfully,
ERNEST F. C. LANE,
Private Secretary.

M. K. Gandhi, Esquire,
Johannesburg.

MR. GANDHI to MR. SMUTS.

May 12, 1908.

I ventured to send a telephone message to you with reference to a telegram I have received from Mr. Chamney saying that all Asiatics who, at the time of the compromise, were outside the Colony, and who are now coming in, and who have arrived after the 9th instant, should apply under the Act. I am sure you do not mean this at all in the face of the clear statement in the letter addressed by me from the gaol. It has created almost a panic. I venture to hope that the necessary instructions will be issued, and that voluntary registration will be accepted from those who may now come in.

MR. LANE to MR. GANDHI.

Pretoria, May 13, 1908.

I am directed to acknowledge the receipt of your letter of the 12th May on the subject of the registration of Asiatics, and to inform you that your contention in regard to voluntary registration has been considered by Mr. Smuts, who, however, cannot agree with it, and for this reason. When the compromise was made in January last it was arranged that all Asiatics over the age of sixteen years should be allowed to register voluntarily within a certain limited period of three months. This mode of registration was also to apply to those who, being out of the Colony, might return within such period. The period for voluntary registration has now come to an end, and accordingly further applications can only be received under the new Law. The alternative course of keeping voluntary registration open for an indefinite period is clearly out of the question.

The Colonial Secretary hopes that on reconsidering this letter you will agree with him, and will use your great influence, and see that all future registration is carried out in the same spirit as it has [? been] in the past.

MR. GANDHI to MR. LANE.

May 14, 1908.

I have your letter of the 13th instant, for which I beg to tender my thanks to Mr. Smuts. The letter, in my opinion, raises a tremendous question, and gives rise to a very great misunderstanding. When the negotiations were going on, I could never have dreamed of accepting a compromise which would mean a differential treatment of Asiatics entering after the period of three months. Had such been the understanding, steps would certainly have been then taken to inform Indians even in India and that could only have been done by cablegrams in order to enable the people to return to the Transvaal within three months, and even then I do not know that it would have been at all a just thing to expect Indians to return from India within that period in order to exchange their documents. The limitation only applied to those who were then resident in the Transvaal. General Smuts will, on a perusal of the letter signed by me and my fellow prisoners, see that the sentence "Such mode of registration should apply to those also who being out of the Colony may return and otherwise possess the right of re-entry" was added by me to the letter brought by Mr. Cartwright as were certain other words. It was never contemplated that to such Asiatics the tentative period of three months should apply. Nor was the alternative course of keeping voluntary registration open for an indefinite period ever thought of by me, and I do not suggest any such course now. But the essence of the compromise is that, the undertaking of the Indian community being fulfilled, as I claim it has been, the Act should be repealed. Voluntary registration should go on in connection with those who may now arrive until the Act is repealed. As will be noticed from the Draft submitted by me, provision is made for the identification of those who may arrive after the passing of the Draft Bill. So that there is no question of keeping voluntary registration open for an indefinite period.

Of course, if it is desired by General Smuts that no registration should take place now, but that it should await the passing of the new legislation, I do not mind, but to require Indians who may enter now to come under the Act will only accentuate the suspicion that is still lurking in the minds of some of my countrymen. In order to make good my word, as also to assist the Government, it is within the General's knowledge that I very nearly lost my life, and this arose because, in the opinion of some of my countrymen, I had sold them, by reason of having agreed to the principle of ten finger prints. Were the proposed registration under the Act of new arrivals persisted in, not only will suspicion be accentuated, but it will be justified, and I cannot help saying that those who may feel irritated against me will be entitled to my life. I should consider myself totally unworthy of the trust reposed in me by my countrymen and to hold the position that they have allowed me to hold for such a long time, were I ever to consent to the Act being applied to newcomers. If the Act was bad, as I respectfully contend it was, it was so for all, except for those who, owing to their fraud or obstinacy, would not voluntarily provide facility to the Government for their identification. I am, therefore, sure that General Smuts will reconsider the matter, and not only not ask me to use whatever influence I may possess with my countrymen in the direction desired by him, but that he will assist me to make good my word to them by either accepting voluntary registration of new arrivals or informing them that they need not be identified until after the passing of the new legislation, especially as the purpose of identification is equally well served under the compromise.

As the matter is exceedingly urgent, may I ask that a telegraphic reply be sent to me?

Mr. Lane to Mr. Gandhi.

May 15, 1908.

I have to acknowledge the receipt of your letter of the 14th May regarding registration, and to inform you that the representations contained therein have been submitted to the Colonial Secretary, who has requested me to say that he has fully considered the matter but regrets that he cannot depart from the position which he has already taken up, namely, that the period of three months granted for voluntary registration having lapsed, further applications can only be received under the Law.

Mr. Ghandi to Mr. Smuts.

May 21, 1908.

I understand that you will be leaving for Capetown on Saturday. I hardly think that you realise the gravity of the situation so far as the Indian community is concerned. Your decision not to register under the compromise those Indians who have been entering the Colony on *bonâ fide* permits after the 9th of this month has created a turmoil amongst the Indians. You have heard, I take it, that the Chairman of the Association has been already assaulted. Many more may be assaulted in the near future. I daily receive indignant letters saying that I have entirely misled the people as to the compromise and that the Law is not going to be repealed at all. Can I not ask you, for the sake of those who have helped the Government, to do a very simple thing—to announce immediately that the Act will be repealed, and that new arrivals may be voluntarily registered?

Mr. Lane to Mr. Gandhi.

May 22, 1908.

I hope you will excuse a manuscript letter, but it is rather late and our typists have gone, and, further, I cannot put off writing this letter until to-morrow as I am going away to-night.

The Colonial Secretary directs me to say that in reply to your letter he is not able to meet your wishes and announce that new arrivals may voluntarily register. The question has been very thoroughly considered by Mr. Smuts, and his decision, as already communicated to you by me, is final on this point.

Mr. Smuts is very sorry to hear about Sarjee, but for the reason which Mr. Chamney has explained to you, it is not possible to deal with him in the way you suggest. Mr. Smuts has, however, issued instructions that Sarjee's movements are to be watched, and he earnestly hopes that if you think that your person is in any way in danger, you will immediately avail yourself of the protection of the police, which the Government will be only too glad to supply.

Mr. Lane to Mr. Gandhi.

June 4, 1908.

I have to acknowledge the receipt of your two letters dated 30th May and 3rd June respectively.

In reply to the question asked I am directed to inform you that the letters of the 1st and 22nd February last were confidential and personal, and for this reason the Colonial Secretary did not reply at any length to the different statements contained in the letter or controvert those statements with which he was not in agreement. The publication of this correspondence, therefore, would throw an incorrect light upon the whole matter, and the Colonial Secretary, for this reason, is not prepared to give the permission asked for.

Mr. Lane to Mr. Gandhi.

June 4, 1908.

The Colonial Secretary has under his consideration at the present time the draft Asiatic Bill which it is proposed to introduce into Parliament at the approaching session, and he would be much obliged if you could make it convenient to come over to Pretoria on Saturday and discuss it with him at 10 a.m. Will you please let me know if this suits you?

Mr. Gandhi to Mr. Smuts.

June 6, 1908.

I hope you will pardon me for writing you about the interview that took place to-day between you and me. While I appreciate your desire to abide by the compromise, I cannot help saying that the interview was not satisfactory. You still hesitate about repeal of the Act, and you are emphatic that, if the Act is not repealed, it is under it that Asiatics who arrived after the 5th ultimo, and who had a right to enter the country, should be registered. The repeal of the Act, as I have always said, was the goal of the Asiatics, and they have done much and surrendered much in order to reach the goal. I have gathered also that you admit the Asiatic Act to be wholly bad, and that amendment of the Immigrants' Restriction Act is not an undesirable way of solving the problem. I once more remind you of what you told me at the interview on the subject, that, if the Asiatics carried out their part of the compromise, you would repeal the Act. I know you added also that if there was one recalcitrant Asiatic who obstinately refused to take out a voluntary registration certificate you would enforce the Act against that Asiatic. As a matter of fact, within my knowledge, there is no such recalcitrant Asiatic left. But if there were, I have taken the above expression to be purely theatrical, to emphasize the fact that the vast majority of the Asiatics then resident in the Colony should abide by the compromise. This they have done.

Time is the essence of the contract at the present moment, and I do hope that you will let me make a definite statement that the Act is to be repealed. Otherwise, I shall be reluctantly compelled to fall back upon my letter to Mr. Chamney as to withdrawal of the application form. I am most anxious to avoid a situation of that character, but it is impossible to wait for the assurance till the first week of the opening of Parliament. If, therefore, you cannot give the assurance, and if you cannot return the application forms to those who have written for their return, an application must be made to the Supreme Court for an order compelling the return of the documents.

In an amendment of the Immigrants' Restriction Act, I venture to suggest that it will not at all satisfy the Asiatics if the question of people to remain in or enter the country is left to the discretion of an Administrative Officer. That, as in every other Colony, should be decided judicially.

The right of those who have paid a £3 fee to the old Dutch Government, I need hardly say, should be respected. There are many such already in the Transvaal with vested interests. They have also applied. These were contemplated, I am sure, by Mr. Patric Duncan, when he first introduced his Bill, and their claim, in my opinion, ought not to be disregarded.

Mr. Lane wrote to me on Friday saying that the letters of the 1st and 22nd February last, addressed by me to you, being confidential, should not be published. As they constitute proof positive of my contention that you promised to repeal the Act, should you withdraw from that position, and should you controvert the statement made by me, I hope you will not bind me to one-sided confidence.

Mr. GANDHI to Mr. SMUTS.

June 13, 1908.

With reference to the interview I had with you to-day, I trust you will excuse my trespassing upon your time and attention yet a while. Until the Asiatic question, as far as it arises out of the Asiatic Act, is settled, I am obliged to approach you.

You doubt my full representative capacity, or better still, the full representative character of the views submitted by me. I admit it only in so far as it affects those who, whilst the passive resistance struggle was going on, accepted the Asiatic Act. Even they do not differ from my views, but they, like the national scouts, intend to save their faces. But I hope, with your assistance, to have even them side by side with the other members of the community. I clearly consider that they have erred from fear, but every endeavour is being made to win them over, and, should they not, why they represent but a microscopic minority. Some of them have had many conversations with me, and they are, undoubtedly, as anxious as the rest of the community that the Asiatic Act should be repealed.

With reference to the amendment of the Immigration Act, I wish to make the Asiatic position perfectly clear with reference to the following:—

(1) No position will ever be accepted by the Asiatic communities that does not put those who have not yet entered the country but are entitled to do so on a level with Asiatics who have voluntarily registered. They will, therefore, exchange their documents under the amended Act, and take out certificates in the same form as the voluntary form.

(2) Refugees who have not yet received permits under the Peace Preservation Ordinance should be protected. There will be no objection to defining who may be termed a refugee—I suggest residence in the Transvaal for two years prior to the 11th day of October, 1899—and a period may be fixed within which these applications may be received, say one year, and they should be entitled to prove their claim before a Court of Law.

(3) Those who hold £3 Dutch Registration Certificates should also be protected, the onus being on them to prove that they are the *bonâ fide* holders thereof.

(4) Those who hold Peace Preservation Odinance permits or permits issued by Asiatic Officers should be protected.

(5) Those who possess educational qualifications, whatever the test may be, should be free like the European immigrants.

(6) There are applications being made which have not been yet decided by Mr. Chamney, or which he has refused. These should be decided finally before a Court of Law.

You told me that you did not want to give any rights of domicile beyond those given by the Asiatic Act. You will see that in the above, with the exception of holders of £3 Dutch Registration Certificates, all are provided for under the Asiatic Act, and I have told you that, in my opinion, and according to Mr. Duncan's speech, even the holders of £3 Dutch Registration Certificates are protected under the discretionary clause. Only I have suggested that they should be recognised as a matter of right, provided, of course, that they prove their *bonâ fides.*

I need hardly point out that refugees are protected by the Asiatic Act, because the Peace Preservation Ordinance permits were still to be issued. They have only lately been stopped under your instructions and by virtue of the Immigrants' Restriction Act, but I am sure you could never have intended that those who are still outside the Colony, and who can be incontestably proved to be old residents, should not have their claims considered. The definition of a refugee and the time limit provide against possible frauds.

I ask you to recognise the very great service rendered by the Indian community in giving finger prints in the face of enormous odds, and to recognise also that the resident portion of the community did not avail themselves of the discretionary clause of the compromise, with reference to education and property qualifications. This was done in order to protect those few who were to come in future, and to show what grace, if I may use the term, Asiatic peoples are capable of. But I may state that they will never accept, so far as I am aware, anything in the nature of compulsion, when they can be otherwise completely identified. The idea is that ignorance or such other thing should be the basis of disqualification, and not race or colour.

The great principle that the Colonists have laid down, namely, that in future Asiatic immigration should be limited only to those who possess educational qualifications of a high order, has been admitted. But those who are entitled to reside in the country will not accept the bar sinister. And if the question cannot be satisfactorily settled on the above, as I consider it, most reasonable basis, it is better that it is not settled at all.

I take it that, as you have promised, you will let me see the draft Bill before it is published.

I have informed the Committee of the Association that you have definitely promised to settle the matter next week. The Committee has, therefore, authorised me to postpone the filing of the affidavits in the meanwhile.

No. 12.

SOUTH AFRICAN BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received July 29, 1908.)

28, Queen Anne's Chambers, Broadway, Westminster, S.W.,
July 27, 1908.

SIR,

I HAVE the honour to enclose, for your kind perusal, a copy of a communication addressed by the Chairman of the Transvaal British Indian Association to the Transvaal Colonial Secretary.

I would respectfully submit that this communication is worthy of your very closest attention, constituting, as it appears to do, a very clear presentment of the British Indian case.

I have, &c.,
L. W. RITCH,
Secretary.

Enclosure in No. 12.

CHAIRMAN, British Indian Association, to the COLONIAL SECRETARY, Pretoria.

SIR,

July 6, 1908.

A MASS meeting of over eight hundred British Indians was held yesterday at the Hamidia Mosque to consider the Indian position as it is affected by the Supreme Court decision on the application for the return of the voluntary registration applications. My Association still respectfully trusts that these forms may be returned. The mass meeting decided to hold another next Sunday for the purpose of burning voluntary registration certificates, in order that, in the event of the claims of domiciled British Indians and others not being considered by the Government, they may range themselves alongside of such Indians and suffer with them. My Association is most anxious to avoid such a drastic step, and, therefore, once more humbly approaches the Government for assistance.

My Association reminds you of the speech* delivered by you at Richmond just after the compromise, and reported in the "Star" of the 6th February last. In that speech you are reported to have stated as follows:—"He had told them, that is, the Asiatics, that the Law would not be repealed so long as there was an Asiatic in the country who had not registered." And again, "Until every Indian in the country had registered the Law would not be repealed." This shows that the only condition of repeal was complete registration. My Association need hardly say that practically every Asiatic in the Colony has made voluntary application in terms of the compromise. But now my Association understands that the Government, in exchange for repeal, ask British Indians to consent to the following:—

(*a*) That British Indians holding Dutch Registration certificates, for which they have paid either £3 or £25, should become prohibited immigrants, whether they are within the Colony or outside the Colony.

(*b*) That pre-war Indian refugees who have not yet returned to the Transvaal should become prohibited immigrants.

(*c*) That the voluntary applications which are now under consideration by the Registrar of Asiatics should be finally decided by the Registrar without the right of appeal to the Supreme Court.

(*d*) That British Indians who can pass the severe test under the Immigrants Restriction Act should also be treated as prohibited immigrants.

My Association ventures respectfully to submit that it is highly unfair to ask the British Indian community of the Transvaal to consent to a deprivation of the rights of some in whose name the community cannot even speak with any effect. It would be one thing for the Government to pass legislation independently of the community affected thereby, and another thing to ask the community to consent to such legislation restrictive of the liberty of a portion of that class.

With reference to (*a*) and (*b*), my Association ventures to state that their claims have never been summarily rejected as it is now proposed, but that pre-war refugees have received more or less consideration and have been granted permits to return. The repeated declarations of responsible officials after British occupation have made it perfectly clear that the domiciliary rights of pre-war Asiatic residents would be respected. In wishing to treat such people now as prohibited immigrants, a most novel and, for British Indians, painful, position is sought to be created. My Association is quite willing that the burden of proving *boná fide* ownership of registration certificates should be thrown on the holders, and that the claims of those pre-war residents who do not hold registration certificates should be limited to residence for a fixed period of, say, two years, such residence to be proved to the satisfaction of a Court of Law, always with the right of appeal to the Supreme Court, so as to bring decisions of different lower Courts into harmony. My Association further, in order to prevent any possible frauds, is prepared to accept a reasonable period within which all these outstanding claims should be submitted. It is within the knowledge of my Association that at least one Indian is outside the Colony who paid in 1885, the sum of £25 to purchase his domicile in terms of Law 3 of 1885, before it was amended, and who holds European credentials, and has not yet been allowed to return. There are several such cases, though not of payment of £25, but of £3. My Association invites your attention to the following Clause in Law 3 of

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* See Enclosure in No. 2.

1885, which shows clearly that the fee of £3 was imposed to entitle the payer to settlement in the country: "Those who settle in the Republic for the purpose of carrying on any trade or otherwise shall be bound to have their names entered in a register to be separately kept for the purpose by the Landdrosts of the various districts, in accordance with a form to be prescribed by the Government. On such registration, which shall be affected within eight days after arrival, a sum of £25 sterling (subsequently £3) shall be paid."

With reference to (*c*) it would be manifestly unfair to deprive those Indians who have already applied for voluntary registration and the right of having their claims examined judicially, when the claims of those who are entitled to return may be judicially examined. My Association fails to see any reason for such a differential treatment between Indians having similar claims.

With reference to (*d*) my Association cannot help feeling that the proposal that Indians domiciled in the Transvaal should be consenting parties to the deprivation of the rights of Indians with high educational attainments, professional men, to whom British Indians in general are always prone to look up for assistance, is extraordinary. My Association respectfully contends that the interpretation of the Immigrants' Restriction Act leaves it open for Indians with European education to enter the country, and the fact that Mr. Sorabji who has entered the country to test such interpretation is now to be tried under the Asiatic Act for failing to produce a registration certificate, seems to uphold the contention of my Association and to show that the Government have abandoned their interpretation of the Immigrants' Restriction Act. My Association thinks that, so far as the European colonists are concerned in this question, there is no substantial point involved, whereas it is one of deeply-cherished sentiment to British Indians. In effect, the vast majority of even educated Indians will be shut out of the Colony because of the stringency of the test, and my Association does not object to any reasonable stringency, so long as education of a real type is respected and recognised as much in an Indian as in a European. In Natal, where the test is by no means so severe as in the Transvaal, according to the last Immigration Report only 81 Indians entered under the test. Australia, which has also a similar education test, has successfully solved the problem of Asiatic immigration. My Association, therefore, ventures to trust that the Transvaal will not be an exception, and that the Government will be pleased to spare the natural feeling of British Indians in the matter.

My Association, in conclusion, respectfully trusts that the Government will take into serious consideration the above representation, and finally close the Asiatic question so far as it is affected by the Asiatic Law Amendment Act, and thus not only fulfil its part of the compromise, but give the lawful Asiatic residents of the Colony the rest and peace to which their conduct during the recent trouble has, by universal acknowledgment, entitled them, and, last but not least, to save the British Indians from the step to which they are committed, as above-mentioned, in the event of the Government's unfavourable decision.

I have, &c.,
ESSOP ISMAIL MIA,
Chairman,
British Indian Association.

No. 13.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.35 p.m., 28 July, 1908.)

TELEGRAM.

28th July. A. Your telegram of 24th July, No. 1.* I am informed by Ministers that the Asiatics lately prosecuted have been proceeded against for contravention of Licensing Laws and not Act 2 of 1907. These men were found by the licensing officers to be trading without licences, and the prosecutions were undertaken at the instance of the municipal authorities and not by the Government.

With regard to Sorabjee, this Parsee entered Transvaal some time ago without authority and applied for registration, which was refused because he did not belong to any of the classes described in sub-section 2 of Section 3 of Act 2 of 1907. He then returned to Natal and intimated through his solicitor, Mr. Gandhi, that he intended to re-enter the Transvaal without authority. On the 24th June he passed frontier at Volksrust and on 3rd July (was) called upon by an officer duly authorised for the production of a registration certificate. As he failed to produce one he was charged before the Assistant Resident Magistrate, Johannesburg, and during the course of the trial stated that he had come here in defiance of the law, and had no intention of leaving Colony. Magistrate ordered him to leave within seven days, and as he failed to carry out order he was charged before same Magistrate with disobeying order and sentenced to one month's imprisonment with hard labour.—Selborne.

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* No. 9.

No. 14.

The HIGH COMMISSIONER FOR SOUTH AFRICA to the SECRETARY OF STATE.

(Received 1 August, 1908.)

My Lord, High Commissioner's Office, Johannesburg, 13 July, 1908.

I have the honour to inform you that the following resolution on the subject of the immigration of Asiatics into South Africa was passed at the recent Inter-Colonial Conference, viz.:—

> "That this Conference unanimously declares itself strongly opposed to the introduction of Asiatics from any part of the world into South Africa, and resolves that the members of the Union introduce legislation to prohibit such immigration if they have not already taken such steps."
>
> "His Excellency Colonel Rosado stated that, having had no knowledge before his arrival in Pretoria that the question of Asiatic immigration into South Africa would be discussed, he had received no instructions on the subject from his Government. He was, however, convinced that they would be willing to concur in the resolution as affecting the whole of South Africa. He, therefore, affirmed in principle his adhesion to Mr. Merriman's resolution reserving to himself a final vote until such time as he was informed of the fundamental points in the legislation to be introduced and had received instructions in regard thereto from his Government. His own view was that, so far as Lourenço Marques was concerned, the proposal should not be applied to Portuguese Indians who lived and conducted themselves according to European habits."

I have, &c.,
SELBORNE,
High Commissioner.

No. 15.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 1.20 p.m., 4 August, 1908.)

Telegram.

4th August. No. 1. Your telegram A, 28th July.* I have received copy of letter from Chairman British Indian Association to Colonial Secretary of 6th July and copies of correspondence from 1st February to 13th June between Colonial Secretary and Gandhi.

I much regret that the settlement which your Ministers, in face of great difficulties, succeeded in effecting in January, and which I hoped would be permanent has been disturbed, and earnestly hope that they will succeed in restoring it. Influential deputation waited on me 31st July on behalf of Indians, and I informed them that I was not yet in possession of your Ministers' views on latest developments. I should be glad to receive a full report on the facts and expression of your Ministers' views† by mail.—Crewe.

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* No. 13.

† See Nos. 16 and 25.

No. 16.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8 August, 1908.)

MY LORD, Governor's Office, Johannesburg, 20 July, 1908.

WITH reference to your predecessor's despatch of the 1st April,* I have the honour to enclose, for your information, a copy of a minute from Ministers on the subject of the position of Asiatics in the Transvaal.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 16.

MINISTERS to GOVERNOR, Transvaal.

(Minute. No. 431.)

Prime Minister's Office, Pretoria, 11 July, 1908.

With reference to His Excellency the Governor's Minute, No. 53/1/08, of the 23rd April last, transmitting copy of despatch, No. 82, from the Secretary of State on the subject of the position of British Indians in the Transvaal:—

Ministers have the honour to advise that since the memorandum of the Colonial Secretary, Pretoria, regarding the registration of Asiatics in the Transvaal under Act 2, of 1907, was written on the 11th November, 1907, the position has considerably altered.

On the 30th November, 1907, the period expired during which Asiatics lawfully resident in the Transvaal were required to make application for registration. Up to that date, however, only 545 applications were actually received, and subsequently certain Indians and Chinese were ordered by the Magistrates to leave the Colony because they failed to produce on demand Certificates of Registration. Owing to the failure of these persons to obey the Order of Court they were sentenced to various terms of imprisonment, and in January last a letter was addressed to the Government by Messrs. Gandhi, T. Naidoo, and Leung Quinn stating that the Indian and Chinese communities would voluntarily register themselves within a period of three months subject to certain small concessions, particulars of which were embodied in the letter. This offer was accepted, and applications for registration were received from the 9th February to 9th May inclusive, the Government guaranteeing that the registration of those whose applications were approved would be validated by special legislation during the next session of Parliament.

Subsequently, Mr. Gandhi pressed for the total repeal of Act No. 2 of 1907, and suggested that instead of introducing fresh legislation to validate voluntary registration the Immigrants Registration Act, No. 15, of 1907, should be so amended as to cover all the requirements in respect to Asiatic Immigration and registration. It was considered that the views of the Asiatics concerned should, as far as possible, be met, provided that nothing should be done that would conflict with the attainment of the objects held to be essential when Act 2 was introduced. Mr. Gandhi was given an opportunity of representing to the Colonial Secretary in person his views on the question, and it was pointed out to him that the adoption of his suggestion would mean the inclusion in the definition of "prohibited immigrant" all Asiatics who were not in possession of Certificates of Registration. Mr. Gandhi stated that his community would have no objection to this, and a Bill was then drafted providing for the repeal of Act 2, of 1907, and for the amendment of the Immigrants Restriction Act, No. 15, of 1907. When, however, this draft Bill was shown to Mr. Gandhi he commenced to raise fresh objections, not only against the provisions embodied for the purpose of restricting undue Asiatic immigration, but also to the main principle of the draft. He claimed that all Asiatics who could pass the educational test should be allowed to enter the Colony whether previously domiciled here or not, that those who claimed to have paid the registration tax to the late Government, even if they left the Transvaal ten or twelve years ago, should now be allowed to return and resume domicile, and that others who claimed that they had resided here before the war whether they had paid the tax in question or not should also be permitted to return. As there are, practically speaking, no means of identifying such persons after the lapse of such a period of time it is palpable that a concession of this kind would prove of a most elastic nature, and that Asiatics for years to come would continue to press claims to pre-war residence, which it would be most difficult, if not impossible, to refute.

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* No. 5.

It was pointed out to Mr. Gandhi that no such claims were recognised under the provisions of Act 2 of 1907, and that if the community he purported to represent were not prepared to abide by the reasonable terms of the draft Bill to amend the Immigrants Restriction Act, No. 15, of 1907, the Government would be obliged to adhere strictly to the terms of the compromise arrived at in January last, and while retaining on the Statute Book the Asiatic Law Amendment Act, to legalise by a special Bill the issue of the certificates granted under the voluntary registration compromise. Such a Bill has now been drafted, and will be published at an early date. [See below.]

In the meanwhile it has been ascertained that Asiatics continue to enter the Colony without authorisation, and are actually forging and uttering for large sums of money the very certificates which their leaders assert it is an indignity to ask them to receive.

A copy of the letter from Messrs. Gandhi, Naidoo, and Quinn, referred to in paragraph 3 of this minute, together with a copy of the reply thereto are transmitted herewith.

LOUIS BOTHA.

To the Honourable
The COLONIAL SECRETARY OF THE TRANSVAAL.

SIR,

As representatives of the Indian and the Chinese communities, who have taken a prominent part in the opposition to the Asiatic Registration Amendment Act, we have the honour to lay the following considerations before you:—

Our opposition has never been directed so much against the finger print requirements of the regulations under the Act—in so far as such finger prints were deemed necessary for the identification of Asiatics who could not very well be otherwise identified—as against the element of compulsion contained in the Act itself. On that ground we have repeatedly offered to undergo voluntary registration if the Act were repealed. And even now, at this late hour, we would urge on the Government the adoption as far as possible of the course more than once proposed by us.

We recognise that it is not possible during the Parliamentary recess to repeal the Act, and we have noted your repeated public declarations that there is no likelihood of the Act being repealed. We would, however, point out that the periods fixed for registration under the Act by the various Government Notices have expired, and that, therefore, any registration at present would necessarily have to be of that voluntary nature which we originally prayed the Government to concede.

Under these circumstances we would once more respectfully suggest to the Government that all Asiatics over the age of sixteen years should be *allowed within a certain limited period, say three months*, to register themselves, and that to all who so register the Act be not applied, and that the Government take whatever steps they deem advisable to legalise such registration. Such mode of registration should apply to those also who, being out of the Colony, may return and otherwise possess the right of re-entry.

In taking the registration of Asiatics we do not object that the requirements of the Act and the regulations be as nearly as possible complied with, provided the registration officials do not press for any information which offends the religious sense of the applicants *and receive discretion to dispense with the finger print requirement* in the case of those applicants who by reason of their education or property, or public character, are well known, or can be easily identified otherwise. In those cases we urge that the official should have discretion to accept the signature of the applicant as a sufficient identification.

Should the Government agree to these suggestions, and accept registration on these terms, we assume that all further prosecutions or punishments under the Act will be suspended during the period set aside for registration.

We, on our part, again would undertake to use all our influence to induce our compatriots to register and withdraw all countenance from those who refuse to register, or who are not legally entitled to register.

We put forward the above suggestions because we are sincerely anxious to prove to the Government that we are loyal and law abiding, and that we are willing to adopt any course which will lead out of the present difficulty without violating our conscience, inflicting any indignity or casting any stigma on us.

We have, &c.,
M. K. GANDHI
LEUNG QUINN.
T. NAIDOO.

Johannesburg Gaol,
28th January, 1908.

GENTLEMEN, Colonial Secretary's Office, Pretoria, 29/30 January, 1908.

I HAVE the honour to acknowledge the receipt of your letter of yesterday's date, addressed to the Colonial Secretary in which you tender voluntary registration of all Indians and Chinese legally resident in the Transvaal and entitled to register. The Colonial Secretary instructs me to say that he appreciates the wisdom of the step you have taken in response to his repeated public declarations that if the Asiatics in the Transvaal volunteer to register in a body an opportunity for registration should be given them. You have correctly set out the legal position in your letter, and in default of registration under the Act, which is no longer possible after the expiration of the notice, the Colonial Secretary can only accept registration in a form similar to that prescribed by the Act and subject as regards the regulations to the small alterations you mention, and lay the matter before Parliament at its next session. In the meantime the penalties of the Act will not be enforced against those who do register, and the Colonial Secretary accepts your assurance that you will use your influence with your compatriots to make this registration effective and final.

I have, &c.,
E. H. L. GORGES,
Acting Assistant Colonial Secretary.

Messrs. M. K. Gandhi,
Leung Quinn,
T. Naidoo.

ANNEXURE.

GOVERNMENT NOTICE No. 753 OF 1908.

The subjoined Bill "To Validate the Voluntary Registration of certain Asiatics who failed to comply with the provisions of the Asiatic Law Amendment Act, 1907," is hereby published for general information.

W. J. FOCKENS,
Secretary to the Prime Minister.

Prime Minister's Office,
Pretoria, 11th August, 1908.

A BILL to validate the Voluntary Registration of certain Asiatics who failed to comply with the provisions of the Asiatic Law Amendment Act, 1907.

To be introduced by THE COLONIAL SECRETARY.

Be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

Recognition of certificate issued in scheduled form to Asiatics applying for registration on and after certain dates.

1.—(1) Every person—

(*a*) who is an Asiatic as defined by the Asiatic Law Amendment Act 1907; and

(*b*) by or in respect of whom an application for such voluntary registration as aforesaid was on the tenth day of February, 1908, or on any day subsequent thereto up till the tenth day of May, 1908, made to the Registrar of Asiatics or other duly authorised officer; and

(*c*) to or in respect of whom a certificate in the form set forth in the Schedule to this Act was issued by such Registrar;

shall, when in possession of such certificate, be deemed to be the lawful holder of a certificate entitling him to enter and reside in the Colony, notwithstanding anything in the Asiatic Law Amendment Act 1907 contained.

(2) Every person who, having been the lawful holder of a certificate of registration under the said Act, has been permitted to obtain a certificate in the form in the Schedule to this Act

in substitution for such first-mentioned certificate, shall also be deemed to be the lawful holder of a certificate entitling him to enter and reside in this Colony notwithstanding anything in the said Act contained.

Certificates to be produced on demand.

2. Every such Asiatic as is described in section *one* who enters or is residing in this Colony shall, upon demand made upon him by any member of a police force lawfully established therein or by any other person authorised thereto by the Colonial Secretary, produce the certificate issued to him under the said section, and shall also on like demand supply such particulars and furnish such means of identification as the Colonial Secretary may by notice in the "Gazette" prescribe. Any Asiatic who fails upon lawful demand to produce such certificate shall, unless he is the lawful holder of a certificate of registration under the said Act, be liable to be dealt with in manner provided by section *eight* thereof. Any Asiatic who fails on lawful demand to supply such particulars and furnish such means of identification as may be prescribed by such notice or by regulation under the said Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding ten pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding fourteen days.

Lost and destroyed certificates.

3.—(1) If at any time any certificate described in section *one* is lost or destroyed the person to whom it was issued shall forthwith apply to the said Registrar to have the same renewed and the said Registrar shall, upon compliance by such person with such procedure as was followed on the application mentioned in sub-section (1) (*b*) of section *one* and upon payment of a fee of five shillings renew the certificate. Such fee shall be denoted by means of revenue stamps to be affixed to the application for renewal by the applicant and shall be defaced by the said Registrar.

(2) Any person into whose hands shall have come any certificate described in section *one* shall, unless he is the person to whom it was issued, forthwith deliver or transmit the same as soon as may be to the Registrar of Asiatics, Pretoria.

(3) Any person who fails to comply with any requirement of this section shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding one month.

Restriction of issue of trading licences to Asiatics.

4.—(1) No Asiatic shall obtain any trading licence under the Revenue Licences Ordinance 1905 or any amendment thereof or under any byelaw or regulation in force within the jurisdiction of a local authority unless he produce to the person appointed to issue the licence—

(*a*) a certificate of registration of which he is the lawful holder under the Asiatic Law Amendment Act 1907; or

(*b*) a certificate described in section *one* of this Act and issued to him;

and supply such particulars and furnish such means of identification as the Colonial Secretary may prescribe.

(2) Any trading licence issued under such Ordinance or under any such byelaw or regulation between the tenth day of February 1908 and the date of the coming into operation of this Act to an Asiatic who made such application as is described in sub-section (1) (*b*) of section *one* thereof shall, notwithstanding anything in section *thirteen* of the Asiatic Law Amendment Act 1907 contained, be deemed to have been lawfully issued.

(3) Section *thirteen* of the Asiatic Law Amendment Act 1907 shall be and is hereby repealed.

Penalties for forging certificates or using forged certificates or certificates issued to another.

5. Any person who—

(*a*) forges or prior to the commencement of this Act has forged any document in the form set forth in the Schedule to this Act or utters any such document knowing the same to be forged; or

(*b*) uses or attempts to use as a certificate described in section *one* of this Act any such forged document or any such certificate which has not been issued to him;

shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding two years or to both such fine and imprisonment, and any person who incites to or aids or abets any other person in the commission of such offence shall be liable to the like penalty.

Title and date of operation of Act.

6. This Act may be cited for all purposes as the Asiatics Voluntary Registration Validation Act 1908 and shall not come into operation unless and until the Governor shall have declared by Proclamation in the "Gazette" that it is His Majesty's pleasure not to disallow the Act and thereafter it shall come into operation on such date as the Governor shall by like Proclamation declare.

SCHEDULE.

Transvaal Asiatic Registration Certificate.

Name in full
Race Age Height
Description

Registrar of Asiatics.

Right Thumb Impression.

Registrar of Asiatics
Date of Issue
Holder's Signature

Name of Wife Residence

Sons and Male Wards under the age of 16 years.

Names.	Age.	Residence.	Relationship to Guardian.

No alterations or endorsements are to be made on the face of this Certificate except by the Registrar of Asiatics

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No. 17.

The GOVERNOR to the SECRETARY OF STATE.

(Received 8 August, 1908.)

My Lord, Governor's Office, Johannesburg, 20 July, 1908.

At the request of the Chairman of a Mass Meeting of British Indians held in Johannesburg on the 24th June, I have the honour to transmit to you, for your information, and for communication to the Secretary of State for India, the accompanying resolutions passed at the said Mass Meeting.

2. I have delayed the transmission of these resolutions to you pending the receipt of the comments of my Ministers upon them. I now enclose a copy of a minute from Ministers in which they state that there is no intention to depart from the compromise entered into in January last in respect to the voluntary registration of Asiatics. With regard to that compromise and with regard to the present position of the Asiatic question generally, I would refer Your Lordship to my despatch of to-day's date.*

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 17.

Resolution I.

This Mass Meeting of British Indians domiciled in the Transvaal deplores the fact that the Government intend to depart from the spirit of the compromise entered into by them with the Asiatic communities of the Transvaal last January, in that they make it a condition of repeal of the Asiatic Law Amendment Act that rights of certain Asiatics domiciled in the Transvaal before the war are surrendered, and that the Asiatic communities should consent to an insult being offered to Asiatics of educational attainments.

Resolution II.

By reason of the decision of the Government not to carry out their part of the compromise, and regard being had to the fact that the Asiatics in the Transvaal have, almost without exception, made application for voluntary registration, this Mass Meeting hereby resolves to withdraw all the applications so made, and re-affirms the solemn declaration made on the 11th day of September, 1906, not to submit to the Asiatic Law Amendment Act, but to suffer, as loyal citizens and conscientious men, all the penalties consequent upon non-submission thereto.

Resolution III.

This Mass Meeting tenders its respectful thanks to all those, whether in South Africa, England, or India, who have helped and sympathised with the British Indian community of the Transvaal during its struggle for legitimate freedom and to retain its self-respect, and earnestly trusts that they will continue to assist with their sympathy and support until justice is fully vindicated.

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* No. 16.

Resolution IV.

This Mass Meeting hereby authorises and instructs the Chairman of the British Indian Association to forward copies of the preceding resolutions to the Honourable the Colonial Secretary, and to His Excellency the Governor of the Transvaal, for transmission to the Imperial Secretaries of State for the Colonies and India.

Essop Ismail Mia,
Chairman of the Mass Meeting.

Dated at Johannesburg this 24th day of June, 1908.

Enclosure 2 in No. 17.

Ministers to Governor.

(Minute No. 430.)

Prime Minister's Office, Pretoria, 11 July, 1908.

With reference to His Excellency the Governor's Minute No. 15/1/1908, of the 29th ultimo, transmitting a copy of a letter from Essop Ismail Mia, covering certain Resolutions passed at a Mass Meeting of British Indians held in Johannesburg on the 24th June last on the subject of the Asiatic Law Amendment Act, Ministers have the honour to advise that there is no intention to depart from the compromise entered into in January last in respect to the Voluntary Registration of Asiatics. Such registration will be validated not under Act 2 of 1907, but by a special Bill which will shortly be published.

Louis Botha.

No. 18.

The GOVERNOR to the SECRETARY OF STATE.

(Received 7.30 p.m., 14 August, 1908.)

Telegram.

[*Answered by No.* 22.]

14th August. No. 1. Bill entitled Asiatics Voluntary Registration Validation Bill* is being introduced to give effect to arrangement arrived at with Asiatics in February last, by legalizing voluntary registration certificates issued under that arrangement. Bill also provides penalty for forging or using forged voluntary registration certificates. It contains suspending clause, but as effect of it is merely to carry out Agreement of February last, of which your predecessor approved at the time, I presume that I may announce when the Act is passed that it is not His Majesty's pleasure to disallow it. Please reply by telegraph.—Selborne.

No. 19.

The GOVERNOR to the SECRETARY OF STATE

(Received 22 August, 1908.)

My Lord, Governor's Office, Johannesburg, 3 August, 1908.

With reference to my telegram of the 28th July, A,† I have the honour to enclose, for your information, a copy of Ministers' Minute of 30th July, 1908, on the subject of the arrest of certain Asiatics for trading without licences; and the case of Sorabjee, a Parsee.

I have, &c.,
SELBORNE,
Governor.

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* See Appendix.

† No. 13.

Enclosure in No. 19.

MINISTERS to GOVERNOR.

(Minute.)

Prime Minister's Office, Pretoria, 30 July, 1908.

With reference to His Excellency the Governor's Minute of the 25th July, transmitting a copy of a telegram from the Right Honourable the Secretary of State for the Colonies on the subject of the arrest of certain Asiatics for refusing to comply with Act 2, of 1907, and also the case of Parsee Sorabjee, Ministers have the honour to inform His Excellency that the Asiatics lately prosecuted have been proceeded against for contravention of the Licensing Laws, and not under Act 2 of 1907. These men were found by the Licensing Officers to be trading without licences, and the prosecutions were undertaken at the instance of the municipal authorities, and not by the Government.

With regard to Sorabjee this Parsee entered the Transvaal some time ago without authority, and applied for registration, which was refused, because he did not belong to any of the classes described in sub-section (2) of Section 3 of Act 2 of 1907. He then returned to Natal, and intimated through his solicitor, Gandhi, that he intended to re-enter the Transvaal without authority. On the 24th June he passed the frontier at Volksrust, and on the 3rd instant was called upon by an officer duly authorised thereto for the production of a Registration Certificate. As he failed to produce one he was charged before the Assistant Resident Magistrate, Johannesburg, and during the course of the trial stated that he had come here in defiance of the law, and had no intention of leaving the Colony. The Magistrate ordered him to leave within seven days, and as he failed to carry out this order he was charged before the same Magistrate for failing to obey the Order of Court, and sentenced to one month's imprisonment with hard labour.

LOUIS BOTHA.

No. 20.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 2.18 p.m., 24 August, 1908.)

TELEGRAM.

[*Answered by No.* 22.]

24th August. A. Referring to my telegram of 14th August, No. 1,* Asiatics Registration Amendment Act has been passed in different form from that described in my telegram. It validates issue of voluntary registration certificates under Agreement of last February, but amends Act of last year in several respects in which amendment has been asked for by Asiatics. Most important are as follows:—

(1.) Definition of "Asiatic" amended so as to omit all references to definition given in Law III. of 1885; definition therefore now contains no references to Mahommedans.

(2.) Act entitles any adult Asiatic resident outside Transvaal at commencement of Act who was resident in Transvaal for three years before 11th October, 1899, to registration if he applies for it within one year.

(3.) Minors not to be separately registered; they are to be noted on guardians' registration certificate and are to apply for separate certificate on reaching age of 16.

(4.) In case Registrar of Asiatics refuses a certificate an appeal to lie to a Magistrate specially appointed to hear such appeals; Magistrate's decision subject to review by Supreme Court under ordinary law.

(5.) Signatures in English will be accepted from applicants for trading licences who are able to give them; those unable to sign names in English to give thumb impressions as under existing Regulations.

Act therefore improves position of Asiatics and my Ministers ask that you will authorize me by telegraph to announce that it is not His Majesty's pleasure to disallow it.—SELBORNE.

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* No. 18; see also Enclosure in No. 24.

No. 21.

SOUTH AFRICAN BRITISH INDIAN COMMITTEE to COLONIAL OFFICE.

(Received September 9, 1908.)

28, Queen Anne's Chambers, Broadway, Westminster, S.W.,
September 8, 1908.

SIR,

I AM desired by my Committee to forward to you the accompanying copy of a Petition addressed by the Chairman and Honorary Secretary of the British Indian Association of the Transvaal to the Transvaal Legislative Assembly dealing with the Registration Law and the Bill to validate the voluntary registration of certain Asiatics who failed to comply therewith.

My Committee would respectfully commend the objections urged in the Petition to the attention of the Secretary of State.

I have, &c.,
L. W. RITCH,
Secretary.

Enclosure in No. 21.

THE HONORABLE THE SPEAKER AND MEMBERS OF THE HONORABLE THE LEGISLATIVE ASSEMBLY OF THE TRANSVAAL, PRETORIA.

The Petition of ESSOP ISMAIL MIA, in his capacity as Chairman, and M. K. GANDHI, in his capacity as Honorary Secretary of the British Indian Association,

Humbly sheweth that:

1. The British Indian Association represents the British Indian residents of the Transvaal.

2. The members of the Association have read with much concern the Bill published in the Government Gazette, entitled "to validate the voluntary registration of certain Asiatics who failed to comply with the provisions of the Asiatic Law Amendment Act, 1907."

3. When British Indians undertook to take out voluntary registration, they never had any intention of submitting to the Asiatic Law Amendment Act of 1907.

4. Whilst nominally, the Bill before this Honorable House does not make British Indians submit to the said Act, in reality there is no distinction between the incidents of voluntary registration to be legalised under the said Bill and registration under the Asiatic Act.

5. The terms of the compromise as embodied in the letters that passed between the Honorable the Colonial Secretary and the Honorary Secretary of the British Indian Association and the other co-signatories were that:—

(*a*) All Asiatics resident in the Colony at the time of the compromise should take out voluntary registration certificates "say within three months" from the date of the compromise.
(*b*) Children under 16 years were to be exempt from any registration.
(*c*) Such mode of registration was to be applicable to those who were entitled to enter the Transvaal but who were not in the Transvaal at the time of the compromise.
(*d*) To those who submitted to voluntary registration, Act, No. 2, of 1907, was not to be applied.
(*e*) The voluntary registration was to be legalised in any other manner that the Government considered proper.

6. These were supplemented by conversations that took place at interviews granted by the Honorable the Colonial Secretary to the Honorary Secretary of the British Indian Association.

7. At these interviews, the question of mode of legalisation was discussed, and the Honorable the Colonial Secretary definitely promised that if all the Asiatics in the Transvaal submitted to voluntary registration the said Act would be repealed.

8. The said promise was referred to by the Honorable the Colonial Secretary in one of his speeches delivered at Richmond soon after the compromise.

9. The Petitioners respectfully invite the attention of this Honorable House

to the fact that all the Asiatics who had an opportunity of submitting to voluntary registration have done so, and that the others have been always ready to do so, but voluntary registration after the 9th of May has been refused.

10. The Bill before this Honourable House, therefore, as in conflict with the compromise in the following particulars:—

(*a*) It does not repeal the said Act No. 2 of 1907.
(*b*) Whilst it seemingly validates voluntary registration under a separate measure, it does not definitely and unequivocally except voluntary registration from the operation of the said Act.
(*c*) It does not exempt from registration the children under the age of 16 years of holders of voluntary registration certificates.
(*d*) It does not leave any opportunity for voluntary registration for Asiatics referred to in sub-paragraph (*c*) of paragraph 5 hereof.

11. The Bill is, therefore, in the humble opinion of the Petitioning Association, in breach of the terms that were to be fulfilled by the Government.

12. The community represented by the Petitioning Association has no desire to take advantage of the voluntary registration certificates that were taken out by it in good faith.

13. The Petitioning Association respectfully invites the attention of this Honorable House to the fact that, at much personal sacrifice, and even at the risk of their lives, leading members of the Indian community fulfilled their part of the compromise.

14. The Petitioning Association feels that the Bill before this Honorable House disregards the admittedly valuable help rendered to the Government of the Colony by the Association in connection with the compromise.

15. Your Petitioners, therefore, humbly pray that this Honorable House will reject the Bill or grant such other relief as to it may seem fit and proper. And for this act of justice and mercy, &c., &c.

Dated at Johannesburg, this 13th day of August, 1908.

No. 22.

THE SECRETARY OF STATE to THE GOVERNOR.

(Sent 2.25 p.m., 9 September, 1908.)

TELEGRAM.

9th September. No. 2. Your telegram A, 24th August.* His Majesty will not be advised to exercise power of disallowance in respect of Act. His Majesty's Government trust that concessions to which you refer may have effect of terminating controversy which has arisen.—CREWE.

No. 23.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 12th September, 1908.)

(Extract.)

Government House, Pretoria, 24 August, 1908.

On the 21st the Asiatics Registration Amendment Bill, as to which I am reporting to your Lordship by telegraph* to-day, was passed through all its stages with the approval of both sides of the House. Representatives of both sides had been consulted with regard to the drafting of the Bill and had had an interview with the British Indian Association, and the Bill, though not meeting all the demands put forward by Mr. Gandhi and his friends, is recognised as a fair and reasonable attempt to meet their legitimate claims.

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* No. 20.

Enclosure in No. 23.

"TRANSVAAL LEADER," August 22, 1908.

ASIATICS REGISTRATION AMENDMENT BILL.

SECOND READING.

The Colonial Secretary moved the second reading of the Asiatics Registration Amendment Bill. He said: "This question comes before the House at a rather late stage of our proceedings, but I need scarcely assure hon. members that that is not due to any other cause than that of extreme anxiety on the part of the Government to bring before the House a Bill which will command the assent of the House and the country. (Hear, hear.) This Asiatic question has been assuming for the last three or four years even more serious proportions, and this state of affairs is to-day of really a very serious character. I do not think there is any question which, after the war itself, has stirred the white population of the Transvaal more deeply than has this Asiatic question. (Hear, hear.) At the same time there is no reason for hon. members of this House or for the people of the Transvaal to adopt any alarmist position. It is a case which eminently requires level-headed and calm reflection, and I hope that in the discussion which will take place on this Bill that this will be borne in mind. No doubt a great deal has happened recently which tends to inflame and excite public opinion, but in this House I am certain that hon. members will discuss the matter with all gravity and reasonableness. It is now the third session of this House, and this matter comes forward. Hon. members will remember that under the Crown Colony Government of 1906 a law was passed, which however failed to carry the assent of His Majesty the King, and in March, 1907, the law which had not been assented to by his Majesty, as passed by the Crown Colony Government, was passed without any alterations by the Legislature of the Transvaal. That law came into force last year. The law was put into force. Different dates were proclaimed from time to time under it for the registration of Asiatics in this country, but for one reason or another the Asiatics organised a movement of passive resistance, and registration under that law proved to be very largely a failure. Of the Asiatics in this country not more than 600 had registered by the time that the dates for registration expired, which was June 30 of last year. As the number was considerably more than 600, it was quite clear that the Act had not proved a success, and that a successful movement of passive resistance had been organised against it. That was a very awkward and, in some senses, a very dangerous state of affairs. There is no more awkward position for a Government than a movement of passive resistance. It is a movement which is really tantamount to an act of war, and really amounts to a state of anarchy so far as the Government is concerned. In more primitive times one would have met it by simply issuing a declaration of war. But in these times it is impossible to do that, and therefore the situation became a very difficult one for us to handle. I did my best, so far as it was possible, to carry out the law and apply the penalties which have been fixed under that law, and as a result early this year many Asiatics were languishing in prisons from one end of the country to the other. That was a very undesirable state of affairs. Hon members will remember that finally I met some of the leaders of the Asiatic community and discussed the question with them, and the result was that, pending the meeting of this House, temporary arrangements were made, the substance of which was that voluntary registration should take place of all Asiatics who are legally resident in the country, and that the matter should be brought for ratification before this House. Under that arrangement the Asiatics volunteered to register, and made application for registration, and up to date practically every Asiatic in the country, whether legally or illegally a resident here, has made application for registration. Altogether the applications numbered 9,158, and that is rather reassuring as showing that the total adult male population does not exceed this number, although there are additional women and children. Of these applications, 7,773 have been recognised as legal residents, and certificates of registration have been issued to them; 1,214 applications have been rejected, and that is therefore the number of adult Asiatics in this country whose residence here is illegal, and who, under the law as it exists to-day, ought to be deported or ordered to leave the country. The small number of 171 applications have not yet been decided, but are under consideration. Well, Sir, that is the state of affairs to-day. Hon. members will recollect it was the impression that it was regulations framed under the Act of last year, which were the principal stone of stumbling, that the Asiatics refused to comply with these regulations, and that that was the principal cause of the passive resistance movement. You will also know that under the arrangement made last January with the Asiatic leaders it was arranged that a dispensation should be given to those Asiatics who refused for religious reasons or otherwise to give their finger-prints. The result is interesting as showing that there has been no substantial objection to the giving of finger-prints. (Hear, hear.) In the case of the last number of applications, to which I have already referred, 7,010 gave finger-prints; 1,960 gave the two thumbs, which was considered equivalent and sufficient for the purpose of registration. Only 70 declined to give finger-prints, and in these cases the signature or other means of identification were resorted to. Hon. members will accordingly see that the impression which existed at one time—that the principal difficulty centred around these regulations in connection with the finger-prints—was not correct. The principal objection was to the law itself. Well, Sir, I have referred to this compromise, and it may be well before I proceed further if I say a word or two in regard to it, because charges have been levelled against me from time to time by prominent Indians that the terms of the compromise were not kept; that in that compromise there was a promise that the Act should be repealed, and that I have not kept that promise. I have laid on the table the correspondence which embodies that compromise, and it is open to hon. members to read the two letters which constitute the compact. That compact has been carried out to the letter. The Asiatic leaders, in a letter of the 28th of January, issued from the Johannesburg Gaol, made the following offer in a petition:—They say: "Our opposition has never been directed so much against the finger-print requirements of the regulations under the Act—in so far as such finger-prints were deemed necessary for the identification of Asiatics who could not very well be otherwise identified—as against the element of compulsion contained in the Act itself. On that ground we have repeatedly offered to undergo voluntary registration if the Act were repealed. And even now, at this late hour, we would urge on the Government the adoption as far as possible of the course more than once proposed by us." Now, the petition says: "We recognise during the Parliamentary recess it is not possible to repeal the Act, and we have noted your repeated declarations that there is no likelihood of the Act being repealed. We would, however, point out that the periods fixed for registration under the Act by the various Government notices have expired, and that therefore any registration at present would necessarily have to be of that voluntary nature which we originally prayed the Government to concede. Under these circumstances we would most respectfully suggest to the Government that all Asiatics over the age of 16 years should be allowed within a certain limited period, say three months, to register themselves, and that to all who so register the Act be not applied, and that the Government take whatever steps they deem advisable to legalise such registration. Such mode of registration should apply to those also who, being out of the Colony, may return and otherwise possess the rights of re-entry. Then there is some reference to the relaxation of the finger-prints. This offer was accepted by me, and from it two questions have arisen: the first, whether the permission was given to repeal the Act. I do not think that any court of law could put such an interpretation on my promise. The consequence was that an Asiatic who registered voluntarily could do so under another Act, and not under Act 2. The Asiatics took the matter to court, and Sir William Solomon took the view that the interpretation of the agreement was entirely different from the construction which the Asiatics placed upon it.* Well, Sir, it was then stated that although this correspondence contained no compromise to repeal the Act, yet in interviews which I had with Mr. Gandhi, I promised to repeal it. That is not so, and the impression may be the result of a misconception. I know that on more than one occasion I discussed with Mr. Gandhi the question of putting the Asiatics under the Immigration Act. Personally, I am of opinion that the Immigration Act which we passed last year supplies better machinery and is a better law than Act 2. If it was possible to place Asiatics under it, I think the power we possess for dealing with Asiatics would be considerably improved. The discussions I had were purely tentative, and contained no compromise. I was trying to see how far I could go, and what alterations I might be able to make; but when I found there were demands which it was impossible for me to accept, I dropped the idea. The second difficulty arose in consequence of the provision that voluntary registration should also apply to those Asiatics who at the time were out of the Colony, but who were entitled to and might otherwise return; in other words, that those who were entitled to lawful residence should be entitled to voluntary registration. My answer to that was that there was a compromise made for a specific period—three months—pending the meeting of Parliament. I could not promise that a certain class of the population here should be in a state outside the law. All I could say was that, pending the meeting of Parliament, there should be this interim state of affairs, and that as soon as Parliament met it would deal with the situation. It was impossible for me to promise that at a future date Asiatics coming into this country should be left to register as they wished. That was a request with which I could not comply, and which the law of the land would not sanction. After these large numbers of Asiatics had volunteered to register, further difficulties arose on two points. One point was the entry of these people after the period of the compromise expired, and the other was the contention of the Asiatic leaders that under the Immigration Act as framed last year educated Asiatics were entitled to enter the country. They contended that whatever arrangement should be made by the Government and by Parliament finally for the solution of the Asiatic difficulty, provision should be made whereby Asiatics who could pass a slight education test under the Immigration Act should be allowed to pass that test and enter the country. That is a view of the law and a policy that I could never admit. (Hear, hear.) I think it would be a disastrous thing to open the doors of the country to the so-called educated Asiatic. The test imposed is a very slight one. If a man can write his name and a single sentence in English or any other European language dictated to him, he can enter the Colony, and if that test had been applied to Asiatics there was every danger that large numbers of people who otherwise was undesirable would be free to enter the country, and that I would never allow. Then the passive resistance movement started once more. Meetings were held, speeches of an inflammatory character were made, certificates were burned, and everything done to work up public feeling and irritate and inflame public feeling, and I am very sorry that should have been done. I think it was really unnecessary. I intended to stick to the letter of the arrangement I had made with the Asiatics, and in consequence a Bill was published, the provisions of which were to validate these voluntary registrations and not to travel a step further. When that Bill was published public feeling in the country was already very strong, and I consulted—as I consulted before—with hon. members on both sides of the House to see what would be the best way of arranging the difficulties in such a way that there should be no dissension on a question of such paramount importance, and I am very glad and happy to say that the assistance I have received all through from hon. members on both sides of the House during this trouble has been to me most gratifying indeed, and has strengthened me very much. (Cheers.) When, therefore, about a week ago I again discussed this question with some hon. members on both sides of the House, the suggestion was made that we should come together with some prominent members of the Asiatics and discuss the difficulties. We met them and discussed various difficulties, and I think this Bill does fairly and reasonably meet every objection and every difficulty urged at that interview, with the exception of one—and that is the difficulty I have already referred to in connection with the educated Asiatics. They put the difficulties in this way—that under Act 2, 1907, the definition given of "Asiatic" in the old Volksraad Act No. 3, 1885, was maintained, and in that definition Turkish Mohammedans, subjects of the Turkish Empire, were excluded from this country. It was urged that that was not a provision intended to keep Turks out of the country, but was simply casting a slur and a stigma on the Mohammedan religion, which no white person or the Government has the slightest intention of doing. The number of Turks here has always been small and I am told that there are none now, and in any case there is no danger of any influx from Turkey to this country. The only kind of Turkish subjects who do come here are Christians, and they are Syrians and other Levantines, against whom certain hon. members have strong objection. But they are Christians, and Mohammedan subjects of the Turkish Empire have never threatened, and are never likely to threaten, to invade this country. That objection, which was based on sentimental grounds, and which there was no difficulty on material grounds in meeting, we have met, and hon. members will see that the Bill now before the House strikes out that restriction which was placed against the immigration of a man simply because he was a Mohammedan subject of the Turkish Empire. The next point refers to the Asiatics who were resident in the Transvaal before the war, but who do not fall within the terms of the law of last year, which mentioned two tests for Indians in this country. Either they required to have the Peace Preservation permit under the Peace Preservation Ordinance, or had to be in this country on May 31, 1902, when peace was made. It was argued, and quite rightly, that there were some Asiatics who had resided in this country before the war, but who were not here on May 31, 1902, and who did not have the Peace Preservation permit, and in regard to which the law of last year gave no distinctive right of entry into this country. The law left a very large discretion to the Colonial Secretary. It was urged at the meeting that we should give a more distinctive right to those pre-war residents to re-enter the country or to reside in the country if they are here to-day. There was a good deal of substance in that claim, and, in my opinion, there is no danger in it being accepted. Hon. members will see a provision in the Bill that if Asiatics were resident in the country three years before the war, and they can prove that, then it is competent for them to apply within a year from the date of this Act for certificates of registration. If they can prove three years' pre-war residence, then within a year from the date of this Act they can make this application, and they shall be entitled, if not otherwise disqualified, to reside in the country, so that point which was raised by the Asiatic leaders has also been conceded in this Act. The third difficulty that they felt against Act 2 of 1907, referred to children. That Act provided machinery under which it was necessary that not only the adult males, but also minors between the ages of 8 years and 16 years should register. There was no special reason really for that provision that minors of those ages should be registered, and, as a matter of fact, in the voluntary registration that had taken place I had adopted an alternative procedure which was just as effective, viz., where the parent had been registered, the names, ages, and description of the children up to the age of 16 were inserted on each certificate, so that if a parent at any future date said he had five children it would be quite easy from the certificate to identify these children. That was all that was thought necessary, and that I embodied in the voluntary certificates, and therefore there was no trouble in meeting the Asiatics and embodying them in the law. Hon. members will see that is the third innovation made in the Bill—that minors below the age of 16 shall not be required to have certificates of administration, but shall be taken up in the certificates of their parent. The next point raised was in reference to the appeal, which the law of last year allowed, to the Magistrates in case the Registrar of Asiatics refused to recognise their claims, and in regard to whose certificates of registration the law of last year provided that the Asiatic should have the right of appeal to the Resident Magistrate of his district. The Asiatic leaders argued with some force that a different practice obtained in different Courts of Resident Magistrates. One was very lenient in issuing these certificates after registration had been refused by the Registrar; whilst another was severe, and there was this disorganised state of affairs brought about by the diversity of decisions. This had been met by another alteration in the Bill, to the effect that the Government will assign one special Magistrate to hear all these cases of appeals from the decision of the Registrar of Asiatics. Thus the differences of practice which have grown up, or may grow up, in the various districts has been eliminated. That Magistrate will sit as a Court of Resident Magistrate, and under the ordinary laws a review will lie from his judgment to the Supreme Court. That right is not taken away, and this Magistrate's decisions will continue to be governed by the law, as in every other case the decision of the Magistrate is. (Hear, hear.) One other point was raised, and that was this—I have issued instructions that when Asiatics make application for licences they should give their thumb-prints as a means of identification; but it has been pointed out—and I think quite rightly—that there should be some latitude in regard to these requiremnts. Some Asiatics are well known, others are well educated and can sign their names, and their signatures are accepted at the banks, and it is unnecessary to lay down a hard and fast rule. If the signature is a sufficient means of identification, let us accept the signature. If that is not sufficient, let us adopt such other measures as may be necessary to meet the case. Hon. members will see that that recommendation has been embodied in this Bill, which gives greater latitude. Some minor recommendations were made. One was in reference to a liquor clause in the other Act, which exempted Asiatics from the Liquor Act of this country. They did not want that, so that clause has disappeared from this Bill. There is one other provision for the transfer of certain property into the name of the heirs of an Indian who was resident in this country. This is an old case, and has already figured in the Act of last year, but in language which does not really meet the case. These were the claims put forward by the Asiatic leaders when they met us a few days ago, and beyond that it was very strongly urged also that we should open the door, however slightly, to the educated Asiatic to come into this country. As I have shown hon. members, all these other claims have been met, and I think have been met in an absolutely fair and unequivocal language—(hear, hear)—but in regard to the education test I have not felt at liberty to recommend either to Parliament or to the country that any departure should be made from the law as it was laid down last year. (Hear,

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* See report of case reprinted in Appendix .

hear.) I think such a departure would be dangerous. We would not know what we were letting ourselves in for, and I did not see my way clear to accept that part of the recommendation made by the Asiatic leaders, and I think it will probably be found that hon. members who were associated with me in discussing this question with the Asiatics shared the same view—namely, that it would not be politic to make this innovation on the law of last year. One alteration that was pressed for I have conceded. The Act of last year provided that in special cases the Colonial Secretary could issue permits to Asiatics to come into the country for any period or periods, and that provision was, I think, introduced into the Act because it was deemed necessary in isolated cases to allow certain Asiatics into the country for special periods, and I have acted under that provision. I have sometimes let in priests where a priest was necessary for a religious community, and in one case I, or my predecessors, have allowed in a medical man under that provision. It was pointed out that it would be better to give that power to the Governor (under this Act the Governor is the Governor-in-Council), and hon. members will find that recommendation has also been embodied in the Bill, so if there is any feeling against the Colonial Secretary, as it is very likely there may be, as he has to administer this Act, and feeling may run high against him, there is a more impartial authority to administer this provision, and I hope that the question will always be dealt with on impartial grounds. I think hon. members will agree that, after all these points were urged upon us and we had met them fairly in this Bill, there was every ground to expect some settlement, or some abatement of this storm which is going on in this country; but my secretary has received to-day a letter from the leaders of the Asiatic Committee which shows that that hope, which was entirely reasonable, is very likely to be disappointed. A meeting has been held by a number of Asiatics in Johannesburg, which agreed to the following points, which have been submitted. I will read these points, and hon. members will see that almost all are entirely fresh and novel, and were not mentioned at the conference: "Mr. Sorabjee to be reinstated with full residential rights." Hon. members probably know that he is a Natal Indian who was brought into this country in order to test this question that has arisen with regard to educated Asiatics. My view of the law was that under no Act was it possible for educated Indians to enter this country unless they were legally resident under the provisions of the Act. The Indian community contend that educated Asiatics can enter the country, and Mr. Sorabjee, an educated Natal Indian, came forward to test the law. He was sentenced by the Magistrate, and finally, the other day, he was deported to Natal. (Hear, hear.) His return to this country as a legal resident is made a condition of this referendum. The other provisions are:—All prisoners to be discharged; Asiatics Act to be repealed; general educational test, with discretionary power as to the severity of the test for educated Indians; that the terms as discussed by them at their meeting should be embodied in the new Bill, with free issue of the burned certificates. (Laughter.) The last provision is that the draft Bill should be shown to the Association for suggestions as to details. (Loud laughter.) Hon. members will observe the position we are in. We are always receiving petitions, and we shall receive repeated petitions and fresh points will continually be raised. (Hear, hear.) We must have some finality. I think that the Bill as it stands now is fair. Of course, it is recognised what the Indians really want. Mr. Gandhi has referred to Indians being in partnership with the white population of this country. I have nothing to say against that. It is a claim which may appeal strongly to the Indians and those who are interested in them, but it is a claim which this white population will never allow. (Sustained cheers.) It will be impossible to meet them upon that ground. Once you admit a special issue there must be a special law for that issue, and on these grounds we have done our best to meet them. I have been in the very difficult position of having to administer the law, and I have done it as far as possible leniently and reasonably, and I will continue to do so. (Hear, hear.) The question will be solved, as all questions may be solved, by temperate measures. No doubt we will see some trouble in the immediate future. All I can say is that we must be careful, and I appeal to the white population of this country and the hon. members of this House to adopt this line of procedure. Let us always be prepared to be reasonable in matters of this sort. Asiatics are not represented in this House, and that is all the more reason why we should be careful and reasonable in whatever steps we take. I think the Bill before the House meets these requirements, and therefore I confidently expect that hon. members will unanimously give their assent to it. (General cheers.)

Sir G. Farrar (Boksburg East) said: I am very glad to say that we on this side of the House will unanimously support the Government in passing this measure. (Government cheers.) I recognised that the Government was faced with a somewhat difficult position, and it is our belief that questions of this sort should be kept entirely apart from party politics. (Hear, hear.) Some nine months since a similar trouble arose over this Asiatic question, and that arose from administrative details and questions of regulation for which we perhaps were not responsible. The difficulty has been to reconcile the demands of the Indians and the desire which everyone has to treat them with liberality, and at the same time to provide a definite and settled policy for the white people of this country in regard to the restriction of immigration of Asiatics. Therefore it is all the more necessary to be scrupulously fair to the people who have been resident in this country, and who have had some claim to reside here. The concessions we have made are wide and generous, although they may possibly not appear to be so to the Asiatics to-day, and to that great Indian Empire, which is watching the progress of this movement. Moreover, it may not have seemed to those people in the Mother Country, who do not understand the position that this question of competition as between white people and Asiatics is a very serious one to us in this country. I contend that in making these concessions we have to consider how we shall protect the white people of the country, and that in doing that we have acted for the best interests of the whites who live here and those of the whole of the Empire. I would repeat, Sir, the words of the hon. the Colonial Secretary, that this is a matter over which it is necessary to keep cool. There is no necessity for passion or for losing one's head. If we keep cool I think when this Bill is placed on the Statute Book it will be a reasonable solution of the question. I regret the passive resistance which is taking place to-day, and I hope the Indian community will be well advised, because this Bill is as far as Parliament can go, and on this question Parliament represents the united white population of this country. (Cheers.) It is just as well that the Indian community should understand that we intend to recognise our Imperial obligations. We are prepared to be reasonable and fair in every possible way, but at the same time anyone who comes into this country must respect the law I sincerely hope, therefore, that when this Bill becomes law the Indians will be well advised and accept the position as it is. (Cheers.) If the position is accepted, we will be prepared to make reasonable concessions in every possible way. I am glad to say that on this side of the House we are unanimous in supporting the Government in passing this measure. (Cheers.)

Sir P. Fitzpatrick (Pretoria South-Central): Mr. Speaker, as one of the members of the Select Committee, I should like to say a few words in support of what the Colonial Secretary has said, and also in order to make our position even more amply clear, if possible, than it has already been made. In a grave question of this kind I think perhaps a little too much explanation would be a pardonable mistake to make. This is a grave question. We have taken a certain decision, and we intend to abide by that decision. We have approached this case unanimously with the desire to see in the words that were expressed to the representatives of the people that we met—to have it marked by justice, reason, and finality—(cheers)—out of consideration for the people to whom we stand in a kind of fiduciary capacity as the Parliament of this country. Knowing the gravity of what was before us, we desired to make our own case so unassailably strong, so firmly founded upon justice, that there would be no man living who could reasonably turn to us and say, "Here you have failed. You might have done something more reasonable." I am convinced, Sir, that motive actuated us all, and I cannot see anything in what we have done to show that we have failed. The Colonial Secretary has mentioned what the result has been, and in endorsing what he said when he appealed to all to keep calm, and what was said by my hon. friend that this was not an occasion for anyone to lose their heads, and in helping to strengthen that appeal, I would like to add that we must bear in mind that possibly if the representatives of the Indian community had the draft Bill before them when they sent in their reply they would not have sent in such a reply. We appreciate that. We hope and believe that when they go into this draft Bill, when they peruse it carefully and give it due consideration, they will see that we have done everything consistent with justice and the governing powers of the country to meet them in every possible way. (Cheers.) I do not want to interpret the reply, Sir, as a dictation to the Government; I do not want to interpret now the stipulation about Mr. Sorabjee as a command to this Parliament to suspend its laws; the repeal of the Act as a breach of faith; the submission of the provisions that come before Parliament of the British Indian Association as an absurd idea; the general provisions for educated Indians as a provocative act. I do not want to interpret things in that way. I desire that the Indians should have time to consider the whole matter, and that we should accept this reply of theirs as meaning simply what they would prefer, and that what they put forward was in good faith. Let them have time to think over the Bill and what the Colonial Secretary has said, "Here is the law, and by this law you must abide." We told them firmly, Sir, that this was their last possible chance. Every pains had been taken to ascertain what their views and grievances were, and every effort was made by us to meet them. I do not know if whether behind it all there is the big question on their side that there is on ours. All the world knows that this country has been divided upon another Asiatic question in the past, but the history of that question shows that it was not the same as this, that the introduction of the Chinese was for a specific purpose, and designed by all of us who advocated it, to be on such conditions that the vital interests of the Colony were safeguarded. But simultaneous with the introduction of the Chinese we were absolutely firm on the policy that this Colony was not going to be the home for immigrant Asiatics. (Cheers.) Now, Sir, that policy was founded upon profound conviction in most of us. South Africa was redeemed from barbarism by the white people. Its position has been built up to-day by the white people. It is the traditions, instincts, and inspirations of the white people that brought it to its present development. It is the white people who will have to carry it on, and to defend it if needs be. (Cheers.) I have said this, Sir, to the Asiatics, and they have replied that that is common ground. They don't dispute that. They recognised that there is nothing offensive in saying it. We meet on common ground, and if it is in the mind of any of the more ignorant of them that that ground can be abandoned, it would be better for them to realise that it cannot be done. (Cheers.) The people of this country are determined to build up a white civilisation—(cheers)—to the best of their ability, and this policy is not the result of impulse. It is fundamentally necessary for the development of South Africa as a white man's country and a civilised country. Having said that, I wish to add that we have put ourselves now in a position of the greatest responsibility. Anything that we have the power to do, we must do for these people. There should be no room for criticism. We have endeavoured to deal, and I think we have succeeded in dealing, most justly and most generously with them, but it is quite impossible for us to open the door to further Asiatic immigration. I mention this, Sir, because if the suggestion of allowing educated Indians to come in is designed to be the establishment of a principle which will gradually be extended, it must be given up. It is a delusion. Such a principle cannot be admitted here. The white people of this Colony cannot and will not admit it, but we have endeavoured to substitute something else that would meet them. That is the provision to which the Colonial Secretary has made reference—that educated Asiatics can come in when it is necessary for them to come on application to the Governor for a permit, and for such purpose as the Governor-in-Council may determine. Is it reasonable to ask us to go further than that? I do not think it is. The Governor-in-Council, recognising the necessities of these people, will endeavour to deal justly with them, and will issue permits for such purposes as are necessary. Now they can get all they claim in argument if necessary by this provision, but for them to claim it as an absolute right is going too far. I hope the words which have been spoken in this House will reach the Asiatics, and be carefully thought over by them, because what does it mean but to plunge them all into another long struggle, which will raise feeling in this country based upon colour or racialism, which must in the end be disastrous to them, as it will be injurious to the cause of justice. It will be impossible to administer justice when feeling comes to be thoroughly inflamed as in other countries. Who will suffer? Only the poor ignorant people who are being misled into an unwise and unjustifiable opposition against the Government. What will they suffer for? There is no man under this law who has a right who cannot come and exercise that right. Those who claim to have rights in the country are recognised under the law; those who claim to have resided here before the war have the right to reside here—they have only to prove that right. Those who were not here when the voluntary period was determined are no longer subject to what they considered to be a humiliation, and if they are not in the country their right will be considered. I cannot, for the life of me, see any single individual whose rights are not recognised in this law. What, then, is this trouble for? It is to establish the theoretical right of someone to come at some day and establish a right—not the right of a man who is here and who has the right, but the rights of some who may come in future, and, for the sake of that, they are going to plunge 9,000 into a struggle and plunge the country into turmoil, and what for? They say for a principle. I admire them for standing for a principle; but they can go too far in the interests of someone who perhaps does not exist. (Hear hear.) I think that the white people of this country have gone as far as they can go, and I sincerely hope that the Asiatics will realise that this is an effort founded upon justice, and that we are endeavouring to have justice, reason, and finality. (Cheers.)

Mr. W. J. Wybergh (Marshallstown), on behalf of the cross-benches, congratulated the Government on having brought forward the Bill to deal with the situation. He expressed his satisfaction with the decision arrived at, as he felt sure that it met every legitimate demand that could be raised. He hoped that those who were affected by the law would recognise that the Bill was conceived in no spirit of hostility or contempt, but that it was an absolute attempt to do justice. He had always thought that they should meet the Indians in every possible way short of giving up the principle of the right of self-preservation which they had the right to maintain in this country. That right could be maintained by the white people without subjecting the Asiatics to hardship. The policy of the Government had been to maintain the rights of the white people and to meet the practical difficulties of personal hardship on the Asiatics, and he thought the Bill had accomplished that. He was confident that they had achieved finality, and he thought it was only a question of time before the objections would be forgotten and they could pursue their policy of making this a white man's country as far as possible.

Mr. W. Hosken (Von Brandis) thought the Bill, fairly, honestly, and clearly set out the various points discussed at the meeting, and provided for those points. He said this with all the more pleasure because even at the end of the meeting referred to they had not arrived at an absolutely unanimous decision on all the questions raised, and some members of the Conference had put forward objections which had not been disposed of. But now he found, on examining the Bill, that those points had been met in that reasonable spirit which was the only possible way of meeting difficulties such as this. He would deprecate any discussion of the question of further Indian immigration, because the Indian people said in the most frank fashion that they did not desire it, and any further legislation necessary to prevent immigration they would accept without the slightest demur. When there was no proposal that there should be further Indian immigration, why should they spend time in considering it? He hoped that the Bill introduced into the House that day would meet the case. He would be perfectly frank with the House, and so he stated he had already communicated with the Indian people in Johannesburg, and had briefly stated to them the provisions of the Bill, and had urged upon them to accept them. He said that he thought it would meet the case, and that it provided for all the points raised, and he trusted they would accept the Bill as a real and honest attempt on the part of the Government and the House to meet the difficulty that had arisen. In fairness to himself and the Indian people, he stated that on one point he differed, and had expressed his dissent at the Conference; that was in regard to the education test. It had not been to the credit of their Administration that they wished to exclude professional men. The proposal was that barristers, doctors, priests, or the holders of university degrees, should be admitted. Their number would probably be small. It was asked that a residential permit should be granted these people by the Governor-in-Council. He thought they were reactionary in not accepting such a provision. Any semi-civilised Government would to-day admit teachers of religion, and for the Government to say they would give no residential permit either to teachers of religion or to any other qualified person under the educational test seemed to be such a narrow interpretation that he could not agree to it.

The Colonial Secretary: We don't do that.

Mr. W. Hosken (Von Brandis) thought that otherwise the Bill was a fair reflection of the discussion at the Conference, and provided for the demands of the Asiatics in a reasonable way, and he trusted it would be accepted by the House and by the Indian people.

Mr. J. A. Joubert (Volksrust) confessed that he was disappointed with the Bill. He noticed that it was going to provide for the conditions under which Asiatics could live in the Transvaal. He had expected that the Bill would have put a stop to the defiance by Asiatics of the laws of the Transvaal. They all knew the history of the Asiatics, and knew that they had come during the Interregnum from 1877-1881. At that time they obtained certain rights, which had been acknowledged in the Conventions of 1881 and 1884. The South African Republic had no power to deport them. At that time they (the Asiatics) were law-abiding subjects, although they always troubled the Government with deputations, asking for additional rights; under the old regime they could not have their businesses in the main streets. The old Government had always kept them at a distance, segregating them in locations, and treating them as coloured people. During the late war they came to the towns, and when he returned after the war he found them in the street of Amersfoort and Volksrust. They had vested rights now, and it was difficult to take those away. But they endangered the position of the poor whites. They controlled the markets, and nobody else had a chance to put up a fish or fruit store, whilst every shilling which those Asiatics made was sent to India. He had heard that those people had recently burnt their registration certificates. That was going too far. Clause 8 of the Bill provides that every Asiatic could come into the Transvaal without a certificate. He could walk about without a certificate, and if the police caught him he could say that he did not know that he required a certificate, when the Magistrate would tell him that he had to get one within eight days. He was in favour of the severe penalty to be inflicted if a coolie used a bogus certificate.

The House suspended business at 4 p.m.

Sir A. Wools Sampson (Parktown) deprecated discussion upon the question, and emphasised the unanimity of the House in regard to the measure.

The motion was agreed to, and the Bill read a second time.

No. 24.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received September 26, 1908.)

MY LORD, Governor's Office, Johannesburg, 7 September, 1908.

I HAVE the honour, at the request of the Chairman of the Hamidia Islamic Society, to transmit, for your information and for communication to the Secretary of State for India, the accompanying copies of resolutions passed at a meeting of the Society named on the 28th July.

2. In view of my despatch to you of to-day's date,* I do not think I need make any remarks on these resolutions.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 24.

RESOLUTIONS passed by the Hamidia Islamic Society, Johannesburg, 28 July, 1908.

1. This meeting of the Hamidia Islamic Society congratulates Mr. Harilal M. Gandhi for his courage in suffering for his community at any cost; also those who have already gone to gaol, especially Mr. Thambi Naidoo.

2. This meeting of the Hamidia Islamic Society sincerely sympathises with and congratulates Mr. and Mrs. Gandhi on account of the sentence passed upon their son Harilal through the injustice of the Transvaal Government; also the families of other prisoners similarly sentenced.

3. This meeting of the Hamidia Islamic Society deeply regrets the injustice of the action of the Transvaal Government towards the British Indian community regardless of age or status, and regrets, further, that the Imperial Government has not concerned itself with the welfare of British Indian subjects of the Crown resident in the Transvaal.

4. This meeting of the Hamidia Islamic Society hereby authorises the Chairman to forward these resolutions to the proper authorities.

Dated at Johannesburg this 28 day of July, 1908.

IMAM A. K. BAWAZEER,
Chairman, Hamidia Islamic Society.

No. 25.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 26 September, 1908.)

MY LORD, Governor's Office, Johannesburg, 7 September, 1908.

WITH reference to my telegram of the 24th August, "A,"† I have the honour to enclose a copy of a minute from my Ministers respecting the circumstances which have led to the passing of the Asiatics Registration Amendment Act, 1908, in the form described in that telegram.

2. Paragraph 3 of the minute shows how the Bill, to which I referred in my telegram of the 14th August, No. 1,‡ giving effect to the letter of the compromise of

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* No. 25. † No. 20. ‡ No. 18.

last February, came to be drafted and published, and the minute goes on to detail the events which subsequently led to the adoption of an amended form of it.

3. As regards the points raised by Mr. Gandhi after his interview with a number of prominent members of both parties in the Legislative Assembly, which points are set forth in the eighth paragraph of Ministers' minute, I think your Lordship will agree with me that it would have been impossible to meet his demands. The fact that he did not mention them at the interview appears to me significant, and if he and his associates desired to meet the Government and to propose a final settlement which the Government could accept, their method of proceeding was unfortunate.

On the other hand, I agree with my Ministers that the attitude both of the Government and of the Opposition has been entirely reasonable in this matter. Not only have they carried out the agreement, which came into force last February, to the letter, but they have made all the further concessions which they could possibly make to conciliate Asiatic sentiment. It is not easy to resist the conclusion that Mr. Gandhi and his friends were not very anxious to arrive at a settlement. At present the passive resistance movement continues; but there are, I am informed, grounds for thinking that the rank and file of the Asiatic community do not entirely share the views of their leaders, and that, in the absence of any reasonable justification for it, the agitation will die a natural death before long.

4. I venture to hope that your Lordship will authorise me, by telegraph, to announce that it is not His Majesty's pleasure to disallow the Asiatics Registration Amendment Act, so that it may be brought into force without delay. Considerable inconvenience is being caused by the fact that at present the only law in force dealing with this matter is Act No. 2 of 1907, which it is the purpose of the new Act to amend, and that while the Government have refrained from making any general use of the powers conferred by the Act and have confined action for breach of its provisions to cases where revenue is being defrauded or the immigration regulations flagrantly defied, the Asiatics appear unable to grasp the situation, and think that any action whatever is conceived for the purpose of anticipating the coming into force of the new Act conferring as it does many benefits not previously enjoyed.

I have, &c.,
SELBORNE,
Governor.

Enclosure in No. 25.

PRIME MINISTER to GOVERNOR.

(Minute.)

(No. 528.)

Prime Minister's Office, 5 September, 1908.

In transmitting a copy of a Bill passed by the Transvaal Legislature on the 22nd ultimo to validate the voluntary registration of certain Asiatics who failed to comply with the provisions of Act 2 of 1907, and to make further provision for the registration of Asiatics, Ministers desire to submit, for the information of His Excellency the Governor, a statement of the circumstances under which the Bill was introduced and adopted.

His Excellency is aware that when voluntary registration was permitted in February last, the Government, after consulting the leaders of the Opposition, undertook to validate such registration by a special Act, and that subsequently Mr. Gandhi asked that instead of introducing a new Bill Act 2 of 1907 should be repealed and the Immigrants' Restriction Act No. 15 of 1907 amended in such a manner as would validate voluntary registration and provide machinery for the future registration of Asiatics who would have been entitled thereto if they had complied with the provisions of the Registration Act. Although no promise on the subject was made Ministers were not averse to accepting the proposal in the hope that such a course would finally close the controversy, and a Bill was accordingly drafted repealing Act 2 and amending Act 15 in the direction indicated.

This draft Bill, at an interview held with the Colonial Secretary, was shown to Mr. Gandhi, who on behalf of his fellow countrymen immediately rejected it on the grounds that provision had not been made for the immigration of Asiatics who, although not claiming previous domicile in the Transvaal, could pass an educational test in an European language. His Excellency will recollect that Asiatics had previously declared that they did not desire the immigration of Indians or Chinese who could not claim pre-war residence. The claim put forward by Mr. Gandhi was therefore a totally fresh one, and he was informed that it could not possibly be granted, and that under the circumstances the written terms of the compromise arrived at in February last would have to be adhered to. A fresh Bill embodying the terms of the compromise was thereupon drafted and a copy forwarded to His Excellency on the 12th ultimo.

In the meanwhile Mr. Gandhi induced a considerable number of Indians to commence a fresh passive resistance movement, directed mostly in this instance against the Licensing Laws of the Transvaal, under which all traders, European or otherwise, are required to take out licences according to the class of trade in which they are engaged, but also against the holding of certificates of registration, and Mr. Gandhi and his emissaries have actually collected a considerable number of these certificates, often under threats and by violence, and publicly burnt them. The Chinese and many Mahomedans have so far declined to join in this movement.

In spite of the unreasonable and lawless attitude of a section of the Indian community it was decided that before the Bill was discussed by the Legislature an opportunity should be given to the Asiatic leaders to place on record a full and final statement of their objections against the proposed legislation. On the 18th ultimo a meeting took place at Pretoria between Messrs. Gandhi, Leong Quinn, Mr. Cartwright, editor of the "Transvaal Leader," who acted as their friend, the Premier, the Colonial Secretary, Sir George Farrar, Sir Percy Fitzpatrick, Messrs. Hosken, D. Chaplin, and Lindsay, representing both parties in the Legislative Assembly.

Nine points were raised by the Asiatics, and these were recorded in writing as representing their final demands; and, after a discussion lasting some hours, it was decided to meet their views as far as possible and to allow no opportunity for any reasonable men to say that such views had not been met in the widest possible spirit. The objections met were as follows:—

(1) Alteration of the definition of the term "Asiatic" so that Mahomedan subjects of the Turkish Dominions should not as expressed in Law 3 of 1885 be specially described as Asiatics.

(2) Unregistered Asiatics domiciled in the Transvaal for three years prior to the 11th October, 1899, should be allowed to return and register themselves, provided they made their applications within one year of the coming into force of the new Act.

(3) The names of male minor Asiatics to be recorded on their parents' certificates and their registration not to be required until they reached the age of sixteen years.

(4) Thumb impressions should not be required from applicants for trading licences who could sign their names in English in formed handwriting.

(5) An appeal from the decision of the Registrar of Asiatics refusing to register an applicant for registration should be allowed to a Magistrate specially appointed to hear all such appeals.

(6) The provision in Act 2 of 1907 allowing Asiatics under certain circumstances to acquire liquor should be deleted on the grounds that it was contrary to the religion of the majority of the persons concerned to consume the same.

(7) While Act 2 of 1907 was to remain on the Statute Book all Asiatics holding Certificates of Registration under the Validating Act were to be specially exempted from the provisions of the Asiatic Law Amendment Act.

(8) Transfer of certain property in Pretoria to be allowed in favour of the heirs of a deceased Indian named Aboobaker Amod who had acquired the property before the passing of Law 3 of 1885.

The 9th subject of discussion was the fresh demand made for the immigration of Asiatics not claiming previous domicile in the Transvaal but who could pass an educational test. This is a claim which Ministers had previously decided was inadmissible, and even had it been otherwise it is difficult to see by what means a Bill providing for the immigration of Asiatics of the class in question could be passed through either of the Houses of Parliament in view of the almost universal feeling of the white Colonists on the subject. The Asiatic leaders were informed that in this single respect their wishes could not be met, and this was distinctly understood by them. A Select Committee representing all parties in the Legislative Assembly was then appointed to re-draft the Bill in accordance with the arrangement come to. The Committee consisted of Sir Percy Fitzpatrick, Messrs. Jacobsz, Chaplin, Wybergh, and the Colonial Secretary, and a copy of their report, dated the 20th ultimo,* submitting a new draft Bill is attached.

Subsequently, however, a letter was received from Mr. Gandhi raising fresh and inadmissible demands, namely, that:—

(1) Parsee Sorabjee, recently deported under the Immigrants' Restriction Act, No. 15 of 1907, should be granted full residential rights in the Transvaal.
(2) All Asiatic prisoners should be discharged.
(3) Act 2 of 1907 should be repealed.
(4) A general educational test should be adopted in respect to the immigration of educated Asiatics.
(5) Duplicates should be issued free of charge in respect of all certificates of registration wantonly burnt.
(6) The new draft Bill should be submitted to the Committee of the British Indian Association before its discussion by the Legislature.

His Excellency will see that while the Government and all parties in both Houses have exercised patience and judgment in meeting every reasonable claim brought forward, the Indians have not alone shown themselves unreasonable, but have persisted through their leader, Mr. Gandhi, in a policy of attempting to procure the settlement of points declared to be final and then, when these had been met, bringing up fresh demands not previously discussed and not possible of acceptance on the part of the white community. Further, in the case of Mr. Gandhi's demand for the repeal of Act 2 of 1907, he withdrew from the distinct understanding arrived at at the meeting of the 18th ultimo, namely, that the Act was to remain on the Statute Book.

The Bill was unanimously passed by both Houses, and Ministers trust that the Secretary of State will intimate to His Excellency by cable that it is His Majesty's pleasure not to disallow it. Until this has been done it is feared that the Indians will continue their campaign of resistance against the laws in force in the hope that by so doing they may influence the judgment of the Imperial authorities for the purpose of obtaining concessions they are not entitled to in law, in justice, or in reason.

Louis Botha.

No. 26.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 10 p.m., 3rd October, 1908.)

Telegram.

[*Answered by No.* 28.]

3rd October. No. 1. Your despatch, 7th September,† paragraph 3 of Ministers' minute. I should be glad to learn exact particulars on which is based statement that Asiatics had declared that they did not desire immigration of persons who could not claim residence prior to the war.—Crewe.

No. 27.

The GOVERNOR to the SECRETARY OF STATE.

(Received October 10, 1908.)

My Lord, Government House, Pretoria, 21 September, 1908.

I have the honour to forward herewith two authenticated copies of Act No. 36 of 1908 " To Validate the Voluntary Registration of certain Asiatics who failed to comply with the provisions of Act No. 2 of 1907 and to make further provision for the registration of Asiatics," together with a report thereon by the Attorney-General.

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* Not reprinted.

† No. 25.

I have, &c.,
SELBORNE,
Governor.

Enclosure 1 in No. 27.

THE PARLIAMENT OF THE TRANSVAAL.

AN ACT to validate the Voluntary Registration of certain Asiatics who failed to comply with the provisions of Act No. 2 of 1907 and to make further provision for the registration of Asiatics.

No. 36 of 1908.

BE IT ENACTED by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of the Transvaal as follows:—

Preliminary.

1. In this Act unless inconsistent with the context:—

Interpretation of terms.

"adult" shall mean of the age of sixteen years or over;

"application for registration" shall mean an application to be placed on the register of Asiatics made in the manner and form prescribed by regulation and accompanied by the particulars and means of identification required by regulation;

"Asiatic" shall mean any male person belonging to one of the native races of Asia and shall include a coolie, an Arab and a Malay but shall not include—

- (*a*) a Malay born and resident in any British Colony or possession in South Africa; or
- (*b*) a person introduced into this Colony under the Labour Importation Ordinance 1904; or
- (*c*) an officer of any consular service;

"certificate of registration" shall mean a certificate of registration under Act No. 2 of 1907, or a certificate under this Act in the form set forth in the Schedule to this Act or as prescribed by regulation;

"commencement of this Act" shall mean the date on which this Act came into operation;

"Governor" shall mean the officer for the time being administering the Government of this Colony acting by and with the advice and consent of the Executive Council thereof;

"guardian" shall mean the parent of a minor Asiatic or any other person under whose care such minor is living for the time being, or failing any such person the employer of such minor;

"lawful holder" as used in relation to any certificate of registration shall mean the person (other than a minor named therein) whose registration is thereby certified;

"minor" shall mean under the age of sixteen years;

"register of Asiatics" shall mean the register to be kept for purposes of this Act in manner prescribed by regulation;

"registrar" shall mean the officer appointed by the Governor to keep the register of Asiatics and any person lawfully acting in such capacity;

"regulation" shall mean any regulation made under section *seventeen* of this Act;

"unregistered Asiatic" shall mean an adult Asiatic who is not the holder of a certificate of registration.

PART I.

Validation of Voluntary Registration.

Recognition of certificate issued in scheduled form to Asiatics applying for registration on and after certain dates.

2.—(1) Every person—

(*a*) who is an Asiatic as defined by Act No. 2 of 1907; and

(*b*) by or in respect of whom an application for registration was on the tenth day of February 1908, or on any day subsequent thereto up to the 10th day of May 1908, made to the registrar or other duly authorised officer; and

(*c*) to or in respect of whom a certificate in the form set forth in the Schedule to this Act was issued by the registrar;

shall, when in possession of such certificate, be deemed to be the lawful holder of a certificate entitling him to enter and reside in the Colony.

(2) Every person who, having been the lawful holder of a certificate of registration under Act No. 2 of 1907, has been permitted to obtain a certificate in the form in the Schedule to this Act in substitution for such first-mentioned certificate, shall also be deemed to be the lawful holder of a certificate entitling him to enter and reside in this Colony.

(3) Every Asiatic who holds any certificate mentioned in this section shall be subject in all respects to the provisions of this Act and not to the provisions of Act No. 2 of 1907.

PART II.

Registration of Asiatics after the commencement of this Act.

Asiatics who may be registered under this Act.

3. An Asiatic shall be entitled to registration under this Act if—

(*a*) he satisfies the conditions described in sub-sections (2) or (3) of section *four*, whether he was or was not in this Colony at the commencement of this Act; or

(*b*) being the lawful holder of a certificate of registration issued under Act No. 2 of 1907, he desires to exchange such certificate for a certificate of registration under this Act; or

(*c*) having been a minor resident in this Colony at the commencement of this Act, he first entered the Colony with an adult Asiatic who was his guardian and who was registered under Law No. 3 of 1885 or any amendment thereof or is registered or entitled to registration under this Act; or

(*d*) he was born in any part of South Africa which was at the date of his birth within the boundaries of the Transvaal.

Registration of adult Asiatics.

4.—(1) Every unregistered adult Asiatic resident in this Colony at the commencement of this Act shall before such date or dates and at such place or places and to such person or persons as the Colonial Secretary may by notice in the *Gazette* prescribe for particular areas of this Colony, make application for registration, and the registrar shall, on being satisfied that such Asiatic is entitled to registration, issue to him a certificate of registration.

(2) Every unregistered adult Asiatic resident outside the Colony at the commencement of this Act, shall,

(*a*) if he was resident in the Transvaal for three years prior to the eleventh day of October 1899; and

(*b*) upon application for registration from a place in South Africa but outside the Colony within one year after the commencement of this Act; and

(*c*) upon satisfying the registrar of the facts mentioned in this sub-section;

be entitled to obtain a certificate of registration.

(3) Every unregistered adult Asiatic resident outside this Colony at the commencement of this Act but who was—

(*a*) duly authorised to enter and reside in this Colony by a permit issued under the Indemnity and Peace Preservation Ordinance 1902 or any amendment thereof or issued between the first day of September 1900 and the date of the passing of the said Ordinance (unless such permit shall have been fraudulently obtained); or (*b*) was resident and actually in this Colony on the thirty-first day of May 1902;

shall be entitled, upon satisfying the registrar of the fact set forth in paragraph (*a*) or (*b*) of this sub-section and upon application for registration from a place in South Africa but outside the Colony, to obtain a certificate of registration.

Minor Asiatics.

5. In respect of every unregistered minor Asiatic born in this Colony, not being the child of a labourer introduced into this Colony under the Labour Importation Ordinance 1904, the following provisions shall apply:—

(1) If his guardian is an Asiatic, the minor's name, his age, his residence and his relationship to his guardian shall be included in the certificate of registration of his guardian.

(2) Within one month after such minor attains the age of sixteen years he shall make application to the registrar for a certificate of registration; provided that, if he be absent from the Colony on attaining that age or one month thereafter, he may, from a place in South Africa but outside the Colony, make application to the registrar for registration and upon satisfying the registrar that he is entitled to registration, the registrar shall issue to him a certificate of registration, and his name shall thereupon be expunged from the register of Asiatics as a minor and shall be deemed to be no longer included in his guardian's certificate of registration.

Registrar not to register an Asiatic who is not entitled to registration and procedure in case of refusal to register.

6.—(1) Whenever the registrar is satisfied that any Asiatic claiming to be entitled to registration under section *three* is not so entitled, he shall refuse to issue to him a certificate of registration, and notice of the refusal shall be sent by post to such Asiatic at the address given upon his form of application.

(2) In every case of refusal by the registrar to issue a certificate of registration, an appeal may, within fourteen days of the date of the notice of refusal, be noted by letter addressed to the Colonial Secretary, and such appeal shall be heard by a magistrate specially assigned by the Governor to hear such appeals, and such magistrate shall be deemed, when hearing any such appeal, to be an inferior court within the meaning of section *nineteen* of the Administration of Justice Proclamation 1902.

(3) In the case of an Asiatic who is in South Africa but outside this Colony, the officer in charge of the Immigration Department shall, as soon as the date has been fixed for the hearing of such appeal, send by post to the appellant at the address given upon his application for registration a temporary permit entitling him to enter and remain in the Colony until the appeal has been determined. If the appeal be dismissed, the said magistrate shall make an order in writing directing the appellant to be removed from the Colony, and every such order shall be deemed to be an order made under section *six* of the Immigrants Restriction Act 1907 or any amendment thereof.

(4) In the case of an adult Asiatic in the Colony who has not within a period prescribed by sub-section (2) of this section noted an appeal or whose appeal having been noted has not been proceeded with or has been dismissed, the said magistrate shall make an order in writing directing such Asiatic to be removed from the Colony, and every such order shall be deemed to be an order made under section *six* of the Immigrants Restriction Act 1907 or any amendment thereof.

Removal from Colony of Asiatics without certificate of registration.

7. Any adult Asiatic who, after such date or dates as may be notified by the Colonial Secretary in the *Gazette*, is found within the Colony and fails, upon such demand as is mentioned in section *nine* to produce a certificate of registration of which he is the lawful holder, may be arrested without warrant and brought before a resident or assistant resident magistrate and if he fails to satisfy such magistrate that he is the lawful holder of a certificate of registration or that the time within which he is required to make application for such certificate has not expired the magistrate shall, save as in the next succeeding section is provided, make an order in writing directing him to be removed from this Colony and every such order shall be deemed to be an order made under section *six* of the Immigrants Restriction Act 1907 or any amendment thereof.

Procedure if Asiatic fails to make application

8. If an adult Asiatic who has failed to make application for registration in accordance with the provisions of sub-section (1) of section *four* shall satisfy the magistrate before whom he is brought that such failure was due to some good and sufficient cause, the magistrate may, instead of making such order as aforesaid,

for registration within time prescribed.

direct such Asiatic forthwith to make application for registration within eight days, and if such Asiatic shall comply with such direction, his application shall be dealt with in all respects as if it had been made in accordance with the provisions of the said sub-section and all the provisions of this Act which would have applied if the application had been so made shall apply accordingly, but, if he shall fail to comply with such direction, the magistrate shall make an order for removal as aforesaid in respect of such Asiatic and any such order shall be deemed to be an order made under section *six* of the Immigrants Restriction Act 1907 or any amendment thereof.

Part III.

General and Miscellaneous.

Certificates to be produced on demand.

9. Every Asiatic who enters or is within this Colony shall, upon demand made upon him by any European member of a police force lawfully established therein or by any other European person authorised thereto by the Colonial Secretary, produce the certificate of registration of which he is the lawful holder, and shall also on like demand supply such particulars and furnish such means of identification as may be prescribed by regulation. Any Asiatic who fails upon lawful demand to produce such certificate shall, unless he is the lawful holder of a certificate of registration, be liable to be dealt with in manner mentioned in section *eight*.

Lost and destroyed certificates.

10.—(1) If at any time any certificate of registration is lost or destroyed, the person to whom it was issued shall forthwith apply to the registrar to have the same renewed and the registrar shall, upon compliance by such person with such procedure as is prescribed by regulation and upon payment of a fee of five shillings, renew the certificate. Such fee shall be denoted by means of revenue stamps to be affixed to the application for renewal and shall be defaced by the said registrar.

(2) Any person into whose hands shall have come any such certificate shall, unless he is the person to whom it was issued, forthwith deliver or transmit the same as soon as may be to the Registrar of Asiatics, Pretoria.

Evidence of registration certificate.

11. Every certificate of registration shall be accepted as conclusive evidence in all places that the lawful holder thereof is entitled to enter and reside in this Colony; provided that this section shall not apply to persons who have, under section *five* or *six* of the Immigrants Restriction Act 1907 or any amendment thereof, been removed from the Colony.

Evidence as to age of Asiatics.

12. Whenever, in any prosecution or other proceeding under this Act, the age of any Asiatic is in question such Asiatic shall unless and until the contrary be proved be taken to be of the age which the registrar shall in any certificate issued under his hand certify to be in his opinion the apparent age of such Asiatic.

Exemption from stamp duty of affidavit or sworn declaration.

13. Any affidavit or sworn declaration which is required by regulation to be made by any person who makes an application for registration shall be exempt from stamp duty.

Restriction of issue of trading licences to Asiatics.

14.—(1) No Asiatic shall obtain any trading licence under the Revenue Licences Ordinance 1905 or any amendment thereof or under any by-law or regulation in force within the jurisdiction of a local authority, unless he produce to the person appointed to issue the licence a certificate of registration of which he is the lawful holder and either give his signature in English or supply such other or additional particulars or furnish such means of identification as the Colonial Secretary may either generally or in particular cases prescribe.

(2) Any trading licence issued under such Ordinance or under any such by-law or regulation between the tenth day of February 1908 and the commencement of this Act to an Asiatic who made such application as is prescribed in sub-section (1) (*b*) of section *two* of this Act shall, notwithstanding anything in section *thirteen* of Act No. 2 of 1907 contained, be deemed to have been lawfully issued.

(3) Section *thirteen* of Act No. 2 of 1907 shall be and is hereby repealed.

Offences relating to applications for registra-

15. Any person who—

(*a*) for the purpose of or in connection with an application for registration or for the purpose of obtaining a certificate of registration, commits any fraudulent act, or makes any false statement or false pretence;

tion and to registration certificates.

(*b*) forges or prior to the commencement of this Act has forged any document in the form set forth in the Schedule to this Act or forges any certificate of registration or utters any such document or certificate knowing the same to be forged; or

(*c*) uses or attempts to use as a certificate of registration any such forged document or any such certificate of which he is not the lawful holder;

shall be guilty of an offence and liable to a fine not exceeding five hundred pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding two years or to both such fine and imprisonment, and any person who incites to, or aids or abets any other person in, the commission of any such offence shall be liable to the like penalty.

Power to issue permits to Asiatics to remain in Colony for limited period.

16. Notwithstanding anything in the Immigrants Restriction Act 1907 or this Act contained, the Governor may approve the issue of a permit, in the form prescribed by regulation, authorising an Asiatic to enter and remain in the Colony for any period named in such permit, and after the expiry of such period the person in respect of whom such permit was issued shall be deemed to be a person not duly authorised to be in this Colony, and if found may be arrested without warrant and the provisions of section *six* of the Immigrants Restriction Act or any amendment thereof shall apply to such person, as if he were a person mentioned in paragraph (*c*) thereof.

Power to make regulations.

17. The Governor may from time to time make, alter, or rescind regulations for any of the following purposes:—

(1) Prescribing the form of the register to be kept for the purposes of this Act.

(2) Prescribing the manner and form in which application shall be made for registration, the particulars to be supplied and the means of identification to be furnished by any applicant for the purpose of or in connection with such application.

(3) Prescribing the form of certificates of registration.

(4) Prescribing the particulars to be supplied and the means of identification to be furnished

(*a*) by any Asiatic upon such demand as is mentioned in section *nine*;

(*b*) by any Asiatic applying for the renewal of any certificate of registration which has been lost or destroyed.

(5) Prescribing the procedure to be observed on or in connection with appeals to the magistrate mentioned in section *six*.

(6) Prescribing the form of permit to be issued under section *sixteen*.

(7) Generally for the better carrying out of the objects and purposes of this Act.

General penalties.

18. Any Asiatic or the guardian of any Asiatic failing to comply with any requirement of this Act or of the regulations shall, except where otherwise specified, be liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment with or without hard labour for a period not exceeding three months.

Special powers to register transfer of certain fixed property.

19. Notwithstanding anything to the contrary in sub-section (*b*) of Law No. 3 of 1885 as amended by Volksraad Resolution Article 1419 of the twelfth day of August 1886 the portion of Erf No. 373 Church Street Pretoria which was registered in the name of the late Aboobaker Amod and which at the commencement of this Act was registered in the name of Henry Salomon Leon Polak may be transferred into the name of the heirs of the said Aboobaker Amod.

Title and date of operation of Act.

20. This Act may be cited for all purposes as the Asiatics Registration Amendment Act 1908 and shall not come into operation unless and until the Governor shall have declared by proclamation in the *Gazette* that it is His Majesty's pleasure not to disallow the Act and thereafter it shall come into operation on such date as the Governor shall by like proclamation declare.

SCHEDULE.

Transvaal Asiatic Registration Certificate.

Name in full

Race Age Height

Description

Registrar of Asiatics.

Right Thumb Impression.

Date of Issue

Holder's Signature

Name of Wife Residence

Sons and Male Wards under the age of 16 *years.*

Names.	Age.	Residence,	Relationship to Guardian.

No alterations or endorsements are to be made on the face of this Certificate except by the Registrar of Asiatics.

As passed by the Legislative Council,	As passed by the Legislative Assembly
O. CLOUGH, Clerk.	GYO. R. HOFMEYR, Clerk.

Enclosure 2 in No. 27.

REPORT BY ATTORNEY-GENERAL.

(Act No. 36 of 1908.)

ASIATIC REGISTRATION AMENDMENT ACT, 1908.

This Act received the assent of His Excellency the Governor on the 22nd August, but its operation has of course been suspended, in terms of Clause XXXIX. (*a*) of the Constitution, pending the signification of His Majesty's pleasure.

I do not propose in this report to do more than touch upon the events leading up to this Act, as they are already familiar to the Secretary of State, and the circumstances immediately preceding the passing of the Act are set forth in a despatch from His Excellency to the Secretary of State recently sent, but I propose to draw attention shortly to the legal aspect of these events and circumstances, which shows that some legislation was necessary

As a result of the negotiations entered into by the Colonial Secretary and the leader of the Asiatic community in February last, those Asiatics who had not complied with the terms of Act No. 2 of 1907 and who had thereby become subject to its penalties, were permitted to register themselves outside the Act. At that time this course appeared to satisfy all their demands. They had objected to the principle of compulsory registration and to the use of certain machinery incidental to effective registration. Further, the last date had long gone by for any registration under the Act of those who were then in the Colony. In other words, the certificates issued under this registration were not certificates which the law recognized and the persons who were so registered were technically still within the mischief of Act No. 2 of 1907.

It was necessary, therefore, that the certificates of those who had registered outside that Act should be validated so that the holders might be in the same position as regards security of person and eligibility to obtain trading licences, as those few who had registered under the Act.

The intention of the Government had been to pass a short Bill in terms of Part I. of the Act, the subject of this report, with certain incidental and miscellaneous clauses relative to the validated certificates, similar to those contained in Part III. of the Act, the subject of this report. In consequence of the revival of the agitation amongst the Asiatic community, due to the statements of their leader, that the compromise of February last had not been observed by the Government, it became impossible to let the proposed legislation stop at the validation of those certificates. Members of the Government and others met the Asiatic leaders again, the Bill was referred to a Select Committee, and other clauses were inserted to give effect to the new requests of the Asiatics which the Government felt able to grant. Most of these clauses are contained in Part II. of the Act, and I proceed to explain their legal effect and compare them with Act No. 2 of 1907:—

I. The definition of Asiatic for the purposes of the new Act is modified. By Act No. 2 of 1907 every person, subject to Law No. 3 of 1885 (except a Cape Malay, an indentured Chinese labourer, and a Consular Officer), was liable to the registration provisions of that Act. For the purposes of the new Act "Mahomedan subjects of the Turkish Dominion" are not specially included among the Asiatics who must register.

II. Certain circumstances will give to Asiatics a right to registration under the new Act and thereby to residence in the Colony. These circumstances are:—

(*a*) the holding of a certificate under Act No. 2 of 1907. Those few who had registered under that Act were anxious, for personal reasons, to derive their rights from the same statute as that under which the large majority of their fellow countrymen derived theirs;
(*b*) birth in the Transvaal;
(*c*) residence in the Transvaal for three years prior to the outbreak of the war, provided application for registration is made within a year;
(*d*) actual residence in the Transvaal at the end of the war;
(*e*) possession of a Peace Preservation Ordinance permit properly obtained.

(*d*) and (*e*) are repetitions of provisions of Act No. 2 of 1907; (*b*) is due to the fact that the registration provisions in Act No. 2 of 1907 of boys under sixteen have been modified, a matter which I will deal with later. (*c*) is an entirely new provision.

III. The Asiatic who, being entitled to registration in the Colony, happens to be outside the Colony, will, under the new Act, have to make his application for registration from a place outside the Colony but in South Africa. One of the defects of Act No. 2 of 1907 was that under Section *four*, sub-section (2), an Asiatic who on entering the Colony claimed that he was lawfully resident therein had eight days after his entrance within which to apply for registration. This provision made it impossible in many cases to effectively enforce either that Act or the Immigrants Restriction Act, 1907, as the Asiatic was soon lost sight of amongst his compatriots in Johannesburg and other towns.

IV. The minor Asiatic (*i.e.*, a boy under sixteen) will be included in the certificate of his parent or guardian. Under Act No. 2 of 1907, it was the duty of the parent or guardian, if the child was under eight, to furnish the necessary particulars relative to him, and when such child attained the age of eight to apply for registration on his behalf. Under the new Act the child, when he attains the age of sixteen, will have to apply for registration, and, if he attained that age while he was outside the Colony and he desires to take up his residential rights (if any) in it, he will have to apply from a place outside the Colony but in South Africa.

V. A further difference between the new Act and Act No. 2 of 1907 is that the Asiatic whose registration is refused is given the right of appeal to a magistrate specially appointed to hear such appeals, and if he happens to be an Asiatic who applied from outside the Colony, a special temporary permit will be given him to enable him to come in and prosecute his appeal.

VI. The legal machinery for dealing with Asiatics who have been found not to have any rights of residence in the Colony are so far modified as to enable a removal order to be issued under Section *six* of the Immigrants Restriction Act, 1907.

At the time when Act No. 2 of 1907 was passed the Immigrants Restriction Act had not been passed, but the Peace Preservation Ordinance provisions were applied. These consisted in the making of an order to leave the Colony, disobedience to which merely involved fine and imprisonment. It is unnecessary to point out how unworkable this system has been in the case of persons who have in an organized manner determined not to comply with the order.

VII. Section *eight* of the new Act re-enacts the privileges given by Section *eight*, sub-section (4), of Act No. 2 of 1907 in favour of those who can show a valid reason for not having complied with the registration provisions.

It is unnecessary to explain in any detail Part III. of the new Act. This part reproduces such of the provisions of Act No. 2 of 1907 (with a few modifications) as are incidental to any registration system.

Attention is drawn, however, to such of these modifications as are of importance:—

(*a*) The power to demand production of registration certificates is confined to *European* police officers and appointed persons (Section *nine*).

(*b*) Finger or thumb impressions will not be necessarily required as a means of identification if applicants for trading licences can sign their names in English or supply other satisfactory evidence of identity (Section *fourteen*, sub-section (2)).

(*c*) The issue of temporary permits to Asiatics to enter and remain in the Colony for a limited period is left to the Governor in Council and not to the Minister. The issue of these permits will in future be confined to distinguished Asiatics travelling through the country on short business or pleasure visits, to Asiatics desiring temporary residence for urgent private or domestic affairs, and to priests.

The Government did not feel able to ask Parliament to remove Act No. 2 of 1907 from the Statute Book in spite of the demand made by the Asiatic leaders for its repeal. But every Asiatic who would otherwise come within its provisions will, by taking advantage of the new Act, be exempt from them, and in this connection attention is drawn to sub-section (3) of Section *two*, to the provisions of Section *three* (showing what Asiatics are entitled to registration), and to Section *seven*, limiting the exercise of the powers of removal from the Colony to those Asiatics who are without certificates of registration. To those who refuse to take advantage of the provisions of the new Act, Act No. 2 of 1907 can be applied.

Such is the legal effect of this Act, as to which, I am of opinion, His Majesty should be pleased not to exercise his powers of disallowance.

JACOB DE VILLIERS,
Attorney-General.

Attorney-General's Office,
Pretoria, 9th September, 1908.

No. 28.

THE DEPUTY GOVERNOR to THE SECRETARY OF STATE.

(Received 2.34 p.m., 15th October, 1908.)

TELEGRAM.

15th October. No. 1. Your telegram of 3rd October, No. 1.* Ministers state declaration to effect that Asiatics did not desire immigration of Indians or Chinese who cannot claim pre-war residence repeatedly made by Gandhi to Colonial Secretary at various interviews at which Asiatic question was discussed between them.

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* No. 26.

No. 29.

THE DEPUTY-GOVERNOR to THE SECRETARY OF STATE.

(Received 7 p.m., 16th October, 1908.)

TELEGRAM.

16th October, No. 1. In continuation of my telegram, 15th October, No. 1;* in further support of their statement Ministers quote following extract from report of an interview with Gandhi, printed in "Transvaal Leader," 7th January:—

> "Asked to elaborate his proposals, Mr. Gandhi said the Immigration Restriction Act, which contains the drastic power of deportation under the hand of the Minister, is ample for every purpose. Let the Asiatic Law Amendment Act be slightly amended so that every Asiatic would become a prohibited immigrant. That was to say, that he would then have to prove that he was entitled to remain in the Colony. If he could produce his certificate issued to him under the Peace Preservation Ordinance or under Law 3 of 1885, he would be given a certificate of domicile. This scheme, Mr. Gandhi contended, would give the Government all that they reasonably required, viz., would prevent any further immigration of Asiatics, and would ensure complete identification and registration of all Indians and Asiatics entitled to remain here. Thus, the wishes of Government and the people of Transvaal would be fully met without putting any unnecessary affront on the Indians. Under the amendment suggested by me, every Indian would have to prove his domicile or his right of residence in the Transvaal within a stipulated time, after which he would be for ever stopped. Surely nothing more than this can be required."—METHUEN.

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* No. 28.

APPENDIX I.

PROCEEDINGS IN THE CASE OF SORABJEE SHAPURJEE.

"STAR," Johannesburg, 8 July, 1908.

Mr. Jordan's court was crowded this afternoon by members of the Asiatic community in anticipation of two of their compatriots being tried—one for being in the Colony without a permit under the provisions of Law No. 2 of 1907, and the other for being in possession of a forged permit.

The first case called was that of Sorabjee, charged under Act 2 of 1907 with being in the Colony without a permit.

The Magistrate: What do you plead?

The accused, in a clear voice: I am not guilty.

Superintendent Vernon stated that he arrested the accused on the 4th instant. He called upon him to produce a registration certificate under the Act or his authority to enter or reside in the Colony. He replied, "I have no authority or registration certificate." Witness then charged him under Section 8, Sub-section 3 of the Act. Accused entered the Colony on June 24 last, at 6.9 p.m. He saw accused every day up to the date of his arrest.

Cross-examined by Mr. Gandhi: Accused knows English. He knows it well enough to understand what I said to him.

And well enough to comply with the Immigration Restriction Act?—I have nothing to do with that. I cannot give any opinion.

Mr. Chamney, Registrar of Asiatics, said he did not know accused, but a man of the same name applied through the magistrate's office at Volksrust on April 22, 1908, for a permit. He applied for registration and not for a certificate of registration under the Act. Witness considered the claims of the applicant and found that he was not entitled to registration, and he informed the magistrate at Volksrust accordingly. Witness conveyed the instructions to the police to arrest the accused, though the instructions did not originate with him.

Cross-examined: The application made by the defendant was for voluntary registration in accordance with the compromise with the Government. Witness explained that he did not know how the defendant came to be in Volksrust. The compromise was intended for those in the Colony or those who had the right to return within three months. Accompanying the application were a number of certificates of character.

Mr. Gandhi asked witness to read the certificates. The Public Prosecutor objected. Mr. Gandhi argued that the papers were part of the record.

The Magistrate: You want to set up a defence that he is brought under the wrong Act. You want to bring him under the Immigration Ordinance.

Mr. Gandhi: I do, sir.

The Magistrate: I quite understand.

The Public Prosecutor argued that the document must be proved in the ordinary way.

Mr. Gandhi retorted that he could not prove if the witness ~~did not produce them. They~~ were the property of his client, and he had served notice on witness to produce them.

The Public Prosecutor persisted in his objection, and eventually the Magistrate looked at the documents. He said they bore the headline South African Constabulary, and apparently belonged to them.

Mr. Gandhi proceeded with the cross-examination of witness, who stated he was Chief Immigration Officer also. He had received a telegram from Mr. Gandhi telling him that the defendant was to entrain and that he possessed the necessary qualifications under the Immigration Act and had sufficient means.

Did your officers examine the defendant as to his educational abilities?—No.

Will you admit he has sufficient educational attainments?—I know nothing about it.

Will you admit he has sufficient means?—I know nothing about it. This charge has nothing to do with it.

Did you allow any other Asiatic to pass?—I have.

Unchallenged?—Not unchallenged; he was not unchallenged.

What was done to him?—I am not able to say. I decline absolutely to answer that question. I dare say you will know in full time.

Why was he allowed to pass?—I will not reply to that. He came in here in conflict with the law, and the consequence is he is now there accused.

The magistrate again intervened and said Mr. Gandhi was referring to the Immigration Act while the accused was charged under the Asiatic Act.

Mr. Gandhi: It is a most unfortunate position you place me in. You have not heard my defence.

Cross-examination resumed: As Chief Immigration Officer, would you pass an Asiatic who possesses educational attainments under the Immigrants Restriction Act?—Certainly not.

Why not?—He is a prohibited immigrant.

This closed the case for the Crown.

Mr. Gandhi asked for the discharge of his client under Subsection 3 of Section 8, under which he was charged, on the ground that the sub-section laid down that any Asiatic found in the Colony "after such a date as may be notified in the 'Gazette.'" That notice had not been proved, and the Court had not the notice in the "Gazette" in its possession.

After argument, Mr. Gandhi said he knew it was a technical error, but it paid the defence to take such action.

The Magistrate: And bring him up again, and give as much trouble as possible.

Mr. Gandhi: That's the point.

The magistrate said he would look up some other cases, and give his decision to-morrow morning.

"STAR," Johannesburg, 9 July, 1908.

The case in which the Indian, Sorabjee, was charged under the Asiatic Act with being in the Colony without a permit was again called on in B Court this morning. It will be recollected that yesterday Mr. Gandhi, for the defence, raised a technical point that the notice in the "Gazette" referred to in the section of the Act on which the charge was based had not been proved.

The magistrate, Mr. Jordan, gave his decision this morning. He upheld the objection and ordered the discharge of the accused.

Superintendent Vernon followed Sorabjee out of court, and re-arrested him. He took him to Marshall Square charge office, where he was detained pending instructions from the Registrar of Asiatics.

Sorabjee is a Parsee, was educated at the Surat High School, and was manager and bookkeeper of a store at Charlestown. As indicated in yesterday's hearing of the case, he entered the Colony as a challenge to the Government, and it is sought to establish a test case on the ground that Sorabjee is able to comply with the educational and financial requirements of the Immigrants' Restriction Act.

"STAR," Johannesburg, 10 July, 1908.

Sorabjee Shapurjee, the Parsee who was discharged yesterday and immediately re-arrested on the same charge of being without a permit, came before Mr. Jordan in B Court to-day. Mr. Cramer prosecuted for the Crown and Mr. Gandhi appeared for the defence.

Mr. Gandhi said the accused had been already charged under the same offence and acquitted.

The Magistrate: It is a continuous offence.

Mr. Gandhi said he knew that, but he wished to plead that although the date in the summons was July 9, the accused should have been given eight days before being again brought before the Court and charged with the same offence.

The Magistrate: I cannot agree with you.

Mr. Gandhi said if the acquittal was to be worth anything the accused should get eight days. He did not for one moment say that for the purpose of his case he required eight days, but at the same time there was that legal defence, and he was not justified in abandoning it. He claimed that the accused should have had a new lease of life from yesterday, in accordance with the law. As it was, he was ruthlessly carried away from the court. If he had intended to leave the Colony yesterday he had no chance of doing so.

The magistrate said he would make a note of the plea.

Superintendent J. G. Vernon said he arrested the accused yesterday at 11.15 a.m. in Rissik Street. He called upon him to produce a registration certificate under the Asiatic Act or his authority to be in the Colony. He stated he had no authority nor any registration certificate. He had been in the Colony since June 24. He produced the Government Gazettes containing the official notifications by the Colonial Secretary that the time expired for registration on October 31, and the extension on November 30, 1907. He conveyed the accused to Marshall Square and charged him and allowed him out on his own recognisance.

Cross-examined: Witness was in the court yesterday when Mr. Sorabjee was discharged. He arrested him outside the court. Between the time of his discharge and the time he got out of the door he had not much time.

Mr. M. Chamney stated he was Registrar of Asiatics, with headquarters at Pretoria. The accused had not applied for a certificate of registration under Act 2, 1907, and he had not been granted such a certificate. An application was made for registration outside the provisions of the Act, but witness found he was not entitled to registration.

Under the Immigration Restriction Act, is the accused eligible to obtain such a certificate of registration?—No.

Mr. Gandhi objected on the ground that witness's opinion as to the interpretation of the clause did not go for anything.

The magistrate upheld the objection.

In cross-examination Mr. Chamney said he had not examined the accused with reference to his educational qualifications.

Mr. Gandhi said he was very sorry he had to ask again for the discharge of the accused because proper notice had not been proved. The notice that should be produced before the Court was a notice notifying that persons found within the Colony after a certain date could be called upon to produce registration certificates. The notices produced only referred to applications for registrations, and had absolutely no bearing at all on the case. After all, November 30 had already passed, and his client had never applied for registration. The notice contemplated in the section of the Act on which the charge was based was a notice authorising the police to demand registration certificates, and it was only under such a notice that registration certificates could be demanded.

A lengthy argument resulted in Mr. Gandhi producing the required notice. He said he was sorry to have to say it, but he was not going to assist the prosecution. He read the notice which set forth that the Colonial Secretary had appointed November 30, 1907, as the date after which any Asiatic over the age of 16 who was found within the Colony and failed upon demand by any duly authorised person to produce a certificate of registration of which he was the lawful holder might be arrested and dealt with as provided. The date of the "Gazette" containing the notice was November 1.

The Magistrate: The question is whether the notice in the "Gazette" is not sufficient in itself.

Mr. Gandhi said he had shown that his contention was correct. He still argued that the two notices produced by the Crown did not apply to the case at all. Was it his fault that he had over-argued his case? The notice required had not been put in and had not even been cited in the indictment.

The Magistrate adjourned the Court for luncheon, and indicated he would give his decision on resuming.

He entered the Transvaal under the Immigration Restriction Act.

The Magistrate: How can he?

Mr. Gandhi said that was for him to show. It was for him to argue that he was entitled to enter after he had put the facts before the court.

The Magistrate said that Mr. Gandhi had to show that his client was one of those exempted.

Mr. Gandhi argued that as his client was educated and had means he was entitled to enter the Transvaal under the Immigrants Restriction Act.

The Magistrate: Do you mean to say that every Asiatic who can read or write can come into this Colony?

Mr. Gandhi: I do, sir; and I am going to try and argue that before the Court if I get the opportunity.

Examination continued: When you entered the country had you sufficient means?—Yes. I had £25.

Continuing, witness said he was asked by Sergeant Mansfield, S.A.C., the officer in charge of the Immigration Act at Volksrust, how much money he had. Answering further questions he said he was ordered by Sergeant Mansfield to make application for registration.

By Mr. Cramer: He knew the steps that were necessary to be taken in order to obtain a registration certificate. He never applied for the ecrtificate, and he had no desire to apply for it. He would have nothing to do with such an "un-British and disgraceful Act."

When the Court resumed, the Public Prosecutor said it appeared to be absolutely essential that the "Gazette" containing the notice should be produced in Court. Mr. Gandhi had taken advantage of a purely technical point, and he asked His Worship to take it that the production of the "Gazette" and the reading by Mr. Gandhi was sufficient publication for the purposes of the case.

Mr. Gandhi said he had not put in the notice. He had simply produced it as he would produce a law book to carry conviction, as he was in the unfortunate position of not being able to make himself understood.

The Magistrate said he would take official notice of it and overrule Mr. Gandhi.

The accused was called and examined by Mr. Gandhi. He stated he had been in South Africa for six years—in Durban for one and a half years, and in Charlestown for four and a half years. He was bookkeeper and manager of a store in Charlestown. He received his English education at Surat High School in the Bombay Presidency.

Mr. Cramer: Why did you come into the Transvaal from Natal?—To make the Transvaal my home.

Did you not come specially here in order to test this point?—Yes; I am going to reside here.

Did you receive a communication from Johannesburg to come here?—I first made inquiries, as it was my intention to come.

From whom?—From Mr. Gandhi.

And he told you to come?—He told me "Yes, to come inside."

Re-examined: He was a British subject; and a Parsee.

This closed the evidence.

Mr. Gandhi argued his case at length. He first submitted that his client was not a prohibited immigrant under the Immigrants Restriction Act, inasmuch as he had shown that he had sufficient means and educational attainments, and if he chose to apply under the Asiatic Act he would not be a prohibited immigrant. He proceeded to argue that the Asiatic Act referred only to Asiatics who were in the Colony, and who resided in the Colony, before the Act was passed, and, whatever the intention of the framers of the Immigrants Restriction Act, it left the door open for Asiatic immigration undoubtedly of a very modified type.

The Magistrate referred to Mr. Gandhi's argument as very subtle and very able. He dealt with the points raised, and said that the accused had not made application for registration, but he gloried in the fact, and had set the Government at defiance. He ordered him to leave the Colony within seven days.

"STAR" Johannesburg, 20 July, 1908.

There was a big press of Indians of front of B Court this afternoon, some considerable time before the doors were opened, in expectation of the appearance of the Indian, Sorabjee Shapurjee, whose name is familiar by now, on a charge of failing to leave the Colony when ordered to do so under the Act. The accused appeared before Mr. H. H. Jordan originally on a charge of being in the Colony without a permit and was ordered to leave within seven days from 10th July.

Mr. Cramer appeared for the Crown and Mr. M. K. Gandhi for the defence.

The clerk in charge of the criminal records produced the records in the case in which the accused was previously before the Court.

The orderly constable in B Court gave evidence of serving the Court's order to leave the Colony on the accused.

Superintendent J. G. Vernon stated he arrested the accused at 7 a.m. on the 20th instant in the Malay Location. He arrested him because he failed to produce a certificate or authority to reside in the Colony after warning received from the Court to leave within seven days from July 10. The accused said he did not intend to leave. Witness handed in a number of copies of the "Gazette" containing the Act and notices regarding the enforcement of the Act.

Mr. Gandhi: Do you know that a letter was sent, on behalf of the accused, that he was prepared to attend the Court at any time his presence was required?—I believe there was a letter of that description.

Why was he arrested?—I do not accept instructions from anyone except from my superior officers. Answering further questions, he said he had received instructions to arrest the accused that morning, and he used his own discretion in arresting him at 7 a.m.

This closed the case for the Crown.

THE ACCUSED.

The accused, in reply to his solicitor, said after the receipt of the notice of removal from the Colony he had remained in the Colony, and he had told Superintendent Vernon it was not his desire to leave. He did not now wish to leave the Colony, and he was there to suffer the penalty for disobeying the order. He was a British subject, and as long as he shared the full responsibility of the British Empire, he had every right to remain in the Transvaal.

Cross-examined: He had disobeyed the order of the Court, and all along intended to disobey it.

And now you pose as a martyr?—No answer.

This closed the evidence.

Mr. Gandhi said he wished to draw his Worship's attention to the fact that that was going to be a very terrible struggle for British Indians in the Transvaal, and in connection with that trial several Indians who were waiting outside to enter the Court House were hustled about and were assaulted also.

The Magistrate: I know nothing about that; and I cannot take an *ex parte* statement. There are quite enough in the Court now to make it uncomfortable.

Mr. Gandhi: That is so, but there are a lot outside——.

The Magistrate: The Court can only hold a certain number.

Mr. Gandhi: It is a question of handling the thing properly. The Court House is within your Worship's jurisdiction, and I think I might be allowed to make a statement about the matter.

The Magistrate: All I can say is that the Court is uncomfortably full.

Mr. Gandhi then proceeded to refer to the case which, he stated, was very simple. (The Magistrate: "Very simple.") He only wished to draw his Worship's attention to the fact that his client rightly or wrongly believed that it was a matter of principle to remain in the Colony, and he claimed his right to remain in the Colony under the Immigrants Restriction Act. His client had felt aggrieved that he had been called upon to accept the Asiatic Amendment Act. He had failed to leave the Colony, and he had told the Court that he could not possibly obey an order that issued under the Asiatic Amendment Act. The accused wished to suffer for the sake of principle. He had chosen between his conscience and the order of the Court, and he had chosen by his conscience.

The Magistrate: One month with hard labour.

APPENDIX II.

PROCEEDINGS IN THE CASE OF E. J. ASWAT.

The "STAR," Johannesburg, 2 July, 1908.

ASIATIC AGITATION.

ALLEGED BROKEN FAITH.

SUPREME COURT APPLICATION.

THE JUDGMENT.

(From Our Own Correspondent.)

Pretoria, Thursday.—In Chambers at the Supreme Court this morning before Sir William Solomon, the case was heard of E. J. Aswat *v.* The Registrar of Asiatics.

Mr. Ward, K.C., and Mr. Home were for the applicant; Mr. De Waal for the respondent.

This was an application for the return of certain documents lodged with the Registrar of Asiatics in connection with the registration of Asiatics following upon the passing of the Act of 1907. Very few registrations took place under the Act, and in connection with the unrest which arose, Mr. Gandhi had several interviews with the Colonial Secretary, the results of which were that it was agreed that the Asiatics should make voluntary application for registration, and that no prosecution should take place. It was also alleged that it was agreed that the Act should be repealed and that these registrations should be sanctioned by Parliament. This was denied by the Colonial Secretary. It appeared that there was no intention on the part of the Government to repeal the Act, and, therefore, the applicant desired the return of his application to register.

For the applicant it was submitted that he was entitled to have his application returned as it was a purely voluntary application made by him. Application was made on a form upon which finger-prints were impressed, and it was submitted that he was as much entitled to have his application returned as if he had sent his photograph. The application was sent with a view to its being filed after valid registration, but any registration granted to him would be an absolute nullity owing to the expiration of time during which registration under the Act was possible. It was said by the Registrar that the document was in the archives of the office, but it was submitted it could not be a public document, because the whole thing was a nullity. What the applicant desired was to get back his finger-prints, to which he attached value. The other documents desired were a registration certificate under Law 3 of 1885 and a permit. It was submitted that these had never ceased to be the property of the applicant.

Mr. De Waal, for the respondent, stated that the only document retained was the application for registration with the finger-prints, the other documents having been returned to the proper local officer for the purpose of being handed back to the owner. The petition was directed solely against the registrar in respect of the document containing the finger-prints, the rest of the application now made being merely a side issue, brought up at the last moment. The applicant had no property in the document. It was a Government form, and was filed in a Government Department. It was asserted that he attached his finger-prints to the document on the understanding that the Act was to be repealed. This was not borne out by the correspondence on the subject or by the affidavit of Mr. Smuts. There was no such repudiation by the Colonial Secretary as would amount to a breach of the compromise arrived at and justify the application. Until that was proved the applicant could not succeed.

Mr. Aswat, in his affidavit, stated that Mr. Chamney had never offered to return the permit and registration certificate, and stated that he was willing to pay the price of the Government paper on which the voluntary application had been made.

Mr. Gandhi declared in his affidavit that he adhered to his former statement that a promise of repeal of Act 2 of 1907 was made by Mr. Smuts, but as he was advised that the question of repeal was not germane to the issue before the Court, he refrained from adducing further proof in support of his statement.

In giving judgment, Sir William Solomon said that as a result of the difficulties experienced in connection with the Act, negotiations took place between the Colonial Secretary and some of the prominent Asiatics, the result of which was that a compromise was arrived at which was contained or embodied in two letters, one signed by some of the leading Asiatics and addressed to the Colonial Secretary, and a reply to that letter sent by the Colonial Secretary, under which compromise provision was made for voluntary registration. The applicant alleged one of the terms of the compromise was that the Act of 1907 should be repealed at the next meeting of Parliament. That was denied by the Colonial Secretary, and by the Registrar of Asiatics, and there was nothing in the letters between the parties to show that that was the intention of the Colonial Secretary. Certainly no such promise was contained in the letter. What the Colonial Secretary undertook to do was to accept registration in a form similar to that prescribed by the Act and then to lay the matter before Parliament at its next session. It seemed extremely unlikely that he would have agreed to repeal the Act, and in the letter written by the leading Asiatics occurred this statement: "We recognise that it is not possible during the Parliamentary recess to repeal the Act, and we have noted your repeated declarations that there is no likelihood of the Act being repealed." If the arrangement was to be gathered from the letters which passed, certainly there was no undertaking to repeal the Act, but it was said that such an undertaking was given verbally by the Colonial Secretary. That was denied by the Colonial Secretary and by the Registrar of Asiatics, and in face of that denial his Lordship could not come to the conclusion that any such arrangement was come to. In accordance with the arrangement the applicant obtained a printed form for registration, which he filled in and which, amongst other things, contained his finger impressions. The application was handed by him to the Resident Magistrate at Vereeniging with the intention that it should be forwarded to the Registrar of Asiatics in order that registration might take place. The applicant now claimed to have the form returned on the ground that the Colonial Secretary had receded from the undertaking given at the time that the Act should be repealed. The question was in whom was the property in that document. In his Lordship's opinion that document was not the property of the applicant when he signed it and sent it in. He intended to part with the property in that document. As long as it was in his possession it was his property, but, having handed it over to the Registrar with the intention that he should retain it the document passed out of his possession and became the property of the Registrar. The case could not be distinguished from the ordinary case of a letter written by one person to another. It was never contemplated when he handed over the document that he should have the right to reclaim it, and he had no right to claim back the property in the document, which had passed to the registrar, because it was the intention that it should be kept by him. There was nothing to justify the Court in coming to the conclusion that the Colonial Secretary was not prepared to carry out the terms of the arrangement embodied in the two letters referred to. With regard to the other document, the permit under the Peace Preservation Act and registration certificate under Law 30, 1885, they stood upon a different footing. It was never the intention of the applicant to part with his property in them, and it was clearly undertaken by both parties that they would be handed back after registration. It was the duty of the registrar as soon as the applicant said he did not wish to proceed with his application to return those documents to him, and, as a matter of fact, they had been sent to Vereeniging in order to be handed over upon application. It was said they were not handed over at the time and that, therefore, the costs of the application should be paid by the respondent. It was, however, clear that the present application would have been proceeded with even if the two documents had been returned, and that the costs would have been incurred. Under the circumstances, the Court was not justified in ordering the respondent to pay costs. The application was refused with costs.

APPENDIX III.

PROCEEDINGS IN THE CASE OF RATTANJE LALLOO.

"TRANSVAAL LEADER," 23 July, 1908.

INDIAN IMMIGRATION.

A MINOR'S APPEAL.

Rattanje Lalloo *v.* Rex.—Mr. Roos for the appellant, Mr. Pittman for the Crown. In this case the appellant was charged before the Assistant Resident Magistrate, at Volksrust, with contravening Section 5 of the Immigrants Restriction Act, No. 15 of 1907, in that he (1) being unable to write in European characters, (2) having insufficient means to support himself, and (3) being the minor child of a prohibited immigrant, was himself a prohibited immigrant. He was convicted and sentenced to pay a fine of £1, or undergo a week's imprisonment, and ordered to leave the Transvaal upon the expiration of such sentence.

Counsel for the appellant contended, firstly, that there was no proof that the appellant's father was a lunatic, and therefore a prohibited immigrant, and that the evidence for the prosecution that the accused's father went mad on the voyage from India and remained at Mombasa was hearsay and therefore inadmissible. The accused's father had, in fact, a permit entitling him to enter the Colony, and the accused, his minor child, was therefore under the Act *primâ facie* also entitled to enter. Then there was no evidence that the accused was called upon, as required by the law, to write a document in European characters. It was impossible to say how far the mind of the Magistrate had been affected by the evidence of Sergeant Mansfield, South African Constabulary, which counsel contended was inadmissible, and therefore, on the authority of Dexter *v.* Rex (1904 T.S. 243), the conviction should be set aside on that ground. Lastly, he urged that the prosecution was premature, the eight days allowed to Indians, under Act 2 of 1907, in which to apply for registration certificates after their entry into the Colony not having expired when the accused was charged. After hearing counsel for the Crown *contra*, and counsel for the appellant in reply, the Court dismissed the appeal and confirmed the conviction and sentence.

Sir William Solomon, in giving judgment, said there was sufficient evidence to justify the Court in coming to the conclusion that Sergeant Mansfield was a duly authorised officer under the Act. His evidence was that the prisoner could not write any document in a European language, and there was no denial of that. Sergeant Mansfield could only have obtained the information either by asking the accused to write or by the accused telling him that he could not write, in which case it would have been a farce to call upon him to write a document in European characters. There was therefore evidence to justify the Magistrate in finding that the accused was a prohibited immigrant. The onus then lay upon the accused to prove that he fell within one of the exceptions, viz., that he was the minor child of a person who was not a prohibited immigrant. The Legislature could not have intended that a person who was eligible for registration should remain in India, and be able to send his wife or minor child into the Transvaal; it was necessary, before they could enter the Colony, to prove that they were the relatives of a person who was himself an immigrant. The appellant was not the minor child of an immigrant, because his father was at Mombasa. He was there for one of two reasons—either he was left there because he became insane on the voyage from India, or he did not choose to come to the Transvaal. The appellant had, consequently, failed to prove that he fell within any of the exceptions provided by the statute. As to the third point raised by counsel for the appellant, it was clear that the accused was not prejudiced by the admission of Sergeant Mansfield's evidence, because it was part of the case set up for the defence that the accused's father was mad and had been for that reason left behind at Mombasa. In regard to the point that the prosecution was premature, his Lordship was of opinion that Sub-section 2 of Section 4 of Act 2 of 1907, which provided that applications for registration certificates should be made by Asiatics immediately after the passing of the Act or within eight days of their arrival in the Colony referred only to Asiatics who were entitled to be registered. The accused had produced no evidence to show that he was eligible for registration, and the provisions of the section referred to did not render it obligatory on the Crown to allow eight days to elapse before taking proceedings under Act 5 of 1907. On all the grounds raised, therefore, the appeal must be dismissed.

Mr. Justice Bristowe delivered a concurring judgment.

The Court then adjourned till to-morrow (Thursday).

TRISTAN DA CUNHA.

FURTHER CORRESPONDENCE

RELATING TO THE

ISLAND OF TRISTAN DA CUNHA.

(*In continuation of* [Cd. 3098] *September*, 1906.)

Presented to both Houses of Parliament by Command of His Majesty.
September, 1907.

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1907.

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TRISTAN DA CUNHA.

FURTHER CORRESPONDENCE

RELATING TO THE

ISLAND OF TRISTAN DA CUNHA.

No. 1.

MR. B. R. BALFOUR to COLONIAL OFFICE.

(Received October 27, 1906.)

SIR, Townley Hall, Drogheda, October 26, 1906.

I AM obliged for your letter of the 28th September.*

I regretted to learn that there was no prospect of a warship visiting the Island of Tristan da Cunha this winter.

I have recently received a letter from Mr. Repetto, written the 22nd July, in which he says that the islanders this year are "more in need of provisions than in the past year, as the wind blights their plantations." His letter expresses great pleasure at the arrival of the Rev. Mr. Barrow, and at the improvement in the children since he arrived on the Island.

Mr. Repetto informs me that the people now number 75.

From another source I hear that Mr. Barrow's own supplies are falling short. I hope, therefore, that some means will be found of sending a mail to Tristan this season.

I should like to add that Mr. Repetto asks for a waterproof bag to carry letters on board the ships which call at the Island.

I remain, &c.,
B. R. T. BALFOUR.

No. 2.

COLONIAL OFFICE to ADMIRALTY.

[*Answered by No.* 4.]

SIR, Downing Street, October 27, 1906.

I AM directed by the Earl of Elgin to transmit to you, to be laid before the Lords Commissioners of the Admiralty, an extract from a letter from the Reverend J. G. Barrow, which has been communicated to this Department by the addressee, and a copy of a letter from Mr. A. Swain, one of the inhabitants of the island of Tristan da Cunha, which has been received in the same manner.

I am to enquire what action their Lordships would suggest should be taken with regard to the appeal made in these letters for the despatch of a ship to the island.

I am, &c.,
FRED. GRAHAM.

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* Not printed.

Enclosure 1 in No. 2.

(Extract.)

Tristan da Cunha, July 15, 1906.

* * * * * * * * *

Last Tuesday, the 10th, we sent off our letters by a barque going to Australia. It was the first opportunity that had offered since our arrival on April 8th. The barque would probably reach Australia in four or five weeks, when it would post them, so you will, I hope, get them by the end of September at the latest. It is quite possible that you may receive this first for we might on an early day get into touch with a ship going to the Cape, which is only nine or ten days' sailing from here and only, as you know, seventeen days' steaming from England. We are ordering things from the Army and Navy Stores, and also from Cape Town in order to make sure of having them by the man-of-war. If no man-of-war comes we shall be up a tree indeed, for we should have no supplies. Those we brought will only last to about the end of January. As it is, we do not have bread every day for want of sufficient flour.

* * * * * * * * *

July 27. A ship in sight and seems to be coming towards the island, so we hope it will take this. We are all well. The storm-cap is most useful.

Enclosure 2 in No. 2.

Dear Friend,

Tristan da Cunha, July 16, 1906.

I thank you very much for the print that you send me by the "Surrey." Mrs. Barrow gave it to me and I were so please with it, and to think that you are such a true friend; we were all so please to have a clergyman come to stay with us and to teach the dear little children; we had plenty to do when he came—the house to make ready, but happy to say he is nicely settled now by himself, his wife, and maid, all in a house by themselves; we will do all we can to make them comfortable—not one but all. He arrived on the 8th of April, and we have only had one ship since he came. I do hope that some more will come soon, as we had a very poor crop of potatoes this year, and now we are having plenty of rain and are losing some cattle, but I am happy to tell you that all on the island are well and in the best of health, hoping you are the same, so I will now say good-bye and believe me to remain,

Your truly friend,

Andrew Swain.

No. 3.

Miss MOGINIE to COLONIAL OFFICE.

(Received October 30, 1906.)

Dear Sir,

13, Upperton Gardens, Eastbourne, October 29, 1906.

I have just received another letter from Tristan, evidently brought by a barque from the Island: from it you will see the distress there is among the islanders. Will you kindly let me know as soon as possible what is going to be done for their relief, as they cannot be left without provisions.

I shall be much obliged if you will please return the letters I left with you, if they have been copied.

Yours truly,

M. H. MOGINIE.

P.S.—This is the letter sent before those I brought to you.

Enclosure in No. 3.

Tristan da Cunha, July 2, 1906.

* * * * * * * * *

We were all so pleased to see a clergyman come to live with us. * * * *. We are so anxious for a ship to come so that we may get some comforts; it seems very hard to be on an Island like this, with no necessary things. I pray God we may soon have a vessel call. We are having some great misfortunes this year; we have had a great loss of cattle and heavy floods, which wash away the roads and give plenty of work for the men.

* * * * * * * * *

FRANCES REPETTO.

No. 4.

ADMIRALTY to COLONIAL OFFICE.

(Received November 8, 1906.)

SIR, Admiralty, November 7, 1906.

My Lords Commissioners of the Admiralty, having had before them your letters of the 27th* and 31st ultimo, and 2nd instant,† with their enclosures, on the subject of one of His Majesty's ships visiting Tristan da Cunha for the purpose of conveying supplies for the inhabitants, desire me to request you will inform the Secretary of State that they regret there is no vessel available to proceed on this service at present. Their Lordships, however, would suggest, for Lord Elgin's consideration, that arrangements might be made with a shipping company or firm to convey stores to the island, should he consider that there is urgent need for them to be sent at an early date.

I am, &c.,
EVAN MACGREGOR.

No. 5.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE.

(Sent 3 p.m., November 26, 1906.)

TELEGRAM.

[*Answered by No.* 6.]

(Extract.)

November 26. No. 1. Letters received from Tristan da Cunha indicate probability of failure of supplies next January. I am endeavouring to ascertain best means of arranging for relief, and I should be obliged to your Ministers if they would cause enquiry to be made as to probable cost of chartering small sailing vessel, Cape Town, for relief purposes. Can you suggest any other means of carrying out relief? If these relief arrangements can be carried out, propose to take opportunity to urge strongly on inhabitants advisability of removal from Tristan da Cunha at an early date. May I inform them that if they decide in favour of removal to Cape Colony, Cape of Good Hope Government adhere to terms of proposals contained in report of Tooke, Cape Parliamentary Paper, page 20,‡ on supposition that His Majesty's Government arrange for conveyance to the Cape?—ELGIN.

No. 6.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received 11.26 a.m., December 13, 1906.)

TELEGRAM.

December 13. No. 1. Your telegram 26th November, No. 1,§ Tristan da Cunha. Suitable sailing vessel of 191 tons, carrying capacity 320 tons, offered here for charter at £6 per diem, minimum payment £180; supply of food, if desired, extra at reasonable rates. Ministers regret that they are not prepared to adhere to terms 1904 proposal, nor are they able incur any expenditure either in removal or settlement of the people. They are willing render such assistance practicable in procuring suitable allotments for the islanders, and are instituting enquiries to ascertain available Crown lands best adapted to their settlement. Areas on southern coast will possibly have to be at a greater distance Cape Town than was originally contemplated. Minute follows by mail 19th December.*—HELY-HUTCHINSON.

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* No. 2. † Formal letters transmitting copies of Nos. 1 and 3.

‡ Cape of Good Hope Parliamentary Paper [G. 36—1904]. § No. 5.

No. 7.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE.

(Sent 6.25 p.m., December 20, 1906.)

TELEGRAM.

[*Answered by No.* 8.]

December 20. No. 1. Referring to your telegram, No. 1, 13th December,† His Majesty's Government would be obliged if your Ministers would charter vessel referred to on their behalf for visit to Tristan da Cunha. Vessel should not start before 31st January, in order to give friends in this country opportunity of sending stores to inhabitants. Please telegraph to what address they should be consigned.

His Majesty's Government are prepared to spend up to £50 for provisions for relief of inhabitants, especially flour, and would be much obliged if your Ministers would arrange for purchase of supplies in Cape Town to go by ship, consulting Hammond Tooke as to kind of supplies if thought necessary.

Despatch‡ follows with letters from island recently received.—ELGIN.

No. 8.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received 10.58 a.m., January 2, 1907.)

TELEGRAM.

[*Answered by No.* 9.]

January 2. No. 1. Your telegram of December 20th,§ Tristan da Cunha. Stores sent from England should be addressed P. J. Hannon, Agricultural Department, Cape Town. It is estimated that stores sufficient for two months can be purchased and vessel chartered for £500. Ministers suggest appointment of responsible person to distribute supplies and furnish report for His Majesty's Government. Expense of such an officer estimated not to exceed £100. Ministers are prepared to depute responsible official if desired. Minute follows by mail.‖—HELY-HUTCHINSON.

No. 9.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE.

(Sent 5.55 p.m., January 3, 1907.)

TELEGRAM.

[*Answered by No.* 10.]

(Extract.)

January 3. No. 2. Matter most urgent. Your telegram, No. 1, 2nd January,¶

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* See No. 11.
† No. 6.
‡ A formal despatch transmitting copies of Nos. 1 and 3 and the enclosures in No. 2.
§ No. 7.
‖ See No. 17.
¶ No. 8.

I should be glad to have details by telegraph of your estimate of £500. I am grateful for Ministers' offer to depute official to accompany vessel, but in view of presence of clergyman I do not consider it necessary to accept it.—ELGIN.

No. 10.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received 3.30 p.m., January 4, 1907.)

TELEGRAM.

[*Answered by No.* 12.]

January 4. No. 1. Your telegram, No. 2, 3rd January.* Ministers calculate amount required to be £500, as follows:—

Cost of vessel by indentures from £180 to £260, according to length of time in use.

Cost of food for three months for 61 people at cost of 6s. 3½d. for each person weekly amounts to £227 14s. 8d.

More than half cost of rations is incurred in following weekly issue to each person, viz., twelve and half pounds of flour, two pounds of jam, one pound of bacon. —HELY-HUTCHINSON.

No. 11.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received January 5, 1907.)

[*Answered by No.* 16.]

MY LORD, Government House, Cape Town, December 17, 1906.

REFERRING to your telegram of 26th November, No. 1,† and to my reply of 13th December,‡ No. 1, I transmit a copy of the minute from Ministers, on the subject of providing relief for the inhabitants of Tristan da Cunha, on which my telegram of 13th December‡ was based.

I have, &c.,
WALTER HELY-HUTCHINSON.

Enclosure in No. 11.

MINISTERS to GOVERNOR.

(Minute. No. 1/820.)

Prime Minister's Office, Cape Town, December 12, 1906.

Ministers have the honour to acknowledge the receipt of His Excellency the Governor's Minute, No. 1022, of the 27th November, forwarding copy of a telegram received from the Right Honourable the Secretary of State for the Colonies, in regard to the necessity for initiating prompt measures of relief for the inhabitants of Tristan da Cunha owing to an anticipated failure of their supplies in January next, and on the advisability of effecting the removal of these people from the Island at an early date.

In reply to the enquiry as to whether a sailing vessel can be chartered at Cape Town to convey supplies, Ministers beg to inform His Excellency that a vessel of suitable size has been offered locally. The owners (Messrs. Stephan Bros.), state she would be ready to load up in a fortnight, and can be hired at the rate of £6 per diem, calculating from the commencement of loading to date of return to port, as indicated in the copy of tender attached for His Excellency's information.

With reference to the removal of the Islanders to settlements in Cape Colony, Ministers regret that they are not prepared to adhere to the conditions as offered and rejected in 1904, nor are they able to incur any expenditure, either in the removal or the settlement of these people. They are, however, perfectly willing to render such assistance as is practicable in procuring suitable allotments for the location of the Islanders, if brought over, and to this end they are instituting enquiries to ascertain the available Crown land best adapted for their settlement. It is possible that the areas to be offered for the purpose on the southern coast will have to be at a greater distance from Cape Town than was originally contemplated.

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* No. 9. † No. 5. ‡ No. 6.

Ministers propose to address His Excellency further on this matter when more particular information on certain points has reached them.

L. S. Jameson.

The Controller of Customs,
Cape Town.

Tender for conveyance of stores and passengers per steam vessel "Greyhound" from Cape Town to Tristan da Cunha and *vice versâ.*

Sir,

We, the undersigned, hereby undertake to perform the above-mentioned services in the following conditions and terms:—

We agree to place the "Greyhound" on the berth for loading within fifteen days from present date, loading to be completed within four days from the date on which we give notice that she is ready to take in cargo. Reasonable notice to be given us if any passengers proceed to Tristan da Cunha (say four days).

Owing to the uncertainty as to whether the Islanders intend leaving the Island or not, and what their numbers will probably be, we submit that it might possibly suit your principals better to supply provisions, in which case we would only make a nominal charge of, say, 6d. per head per day for attendance.

Should this not suit your clients, we will purchase store, and issue same to the passengers in quantities provided by Lloyd's tariff, provided that your clients take over the balance on the return of the vessel here at cost price plus 10 per cent. Deterioration to be for account and risk of your client.

Should there be any children or invalids amongst the passengers who require special food, same to be charged for at extra rates.

We undertake, subject to the act of God, perils of the sea, and all other unforeseen and unavoidable accidents and happenings, to proceed to and return from the Island with all possible despatch.

Our tariff for supplying food to cabin passengers will be 3s. per diem per head exclusive of liquor. Our tariff for supplying food for the Islanders will be 2s. 6d. per diem per head exclusive of liquor. Children under the age of one year, free.

Our charge for the vessel will be £6 per diem (say, Six Pounds sterling) for each and every day, holidays and Sundays included, subject to a minimum payment of £180 (say, One Hundred and Eighty Pounds sterling).

Your clients can, on the outward voyage, ship up to the full carrying capacity of the vessel, viz., 300 tons, but only to the extent of, say, 100 tons on the return trip. The reason for this is that the space will be required for the accommodation of the Islanders, who, we understand, number about eighty. Of course, we are prepared to take a *pro rata* proportion of cargo, should the number of the Islanders be more or fewer than the number we have given. Should you accept our tender, prior to closing we should like to peruse your clients' shipping instructions.

The gross register tonnage of the "Greyhound" is 191 tons; carrying capacity, 320 tons; depth of hold, 11 feet; breadth of midships, 22 feet 8 inches.

Trusting that the foregoing tender will be satisfactory to you; if accepted, we assure you of our best endeavours to satisfactorily carry out the contract.

We have, &c.,
Jas. C. Miller,
(for Stephan Bros.).

Cape Town,
December 10, 1906.

No. 12.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE.

(Sent 5.8 p.m., January 5, 1907.)

TELEGRAM.

[*Answered by Nos.* 13 *and* 17.]

January 5. No. 1. Your telegram, No. 1, 4th January.* Please engage vessel to sail not before 31st January. Private stores will arrive by mail steamer of 12th January.

I should be glad if Ministers would purchase supply of necessaries up to £100, of which not less than half had better be flour, to relieve temporary distress. I am not disposed to increase this amount unless considered really necessary on Tooke's advice and pending receipt of minute referred to in your telegram of 2nd January, No. 1.†—ELGIN.

No. 13.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received 11.20 a.m., January 10, 1907.)

TELEGRAM.

January 10. No. 1. Your telegram, No. 1, 5th January.‡ Ministers will give effect to your wishes. In connexion with reduction in supplies they forward memorandum from Hannon and letter from Tristan da Cunha from which it appears that there are about 80 islanders, that there has been heavy loss of cattle from disease, and that islanders anxiously ask for ammunition. Minute sent by mail of 9th January.§—HELY-HUTCHINSON.

No. 14.

COLONIAL OFFICE to TREASURY.

SIR, Downing Street, January 10, 1907.

I AM directed by the Earl of Elgin to transmit to you, for the information of the Lords Commissioners of the Treasury, a copy of a despatch‖ from the Governor of Cape Colony regarding the engagement of a vessel to proceed to Tristan da Cunha and the facilities which his Ministers are willing to offer to those of the islanders who may be ready to settle in Cape Colony.

2. I am also to enclose copy of a letter¶ which will be sent to Sir W. F. Hely-Hutchinson by the mail of the 12th instant for transmission to the Reverend J. Barrow, the chaplain on Tristan da Cunha, dealing with the question of the future of the inhabitants.

I am, &c.,
FRED. GRAHAM.

No. 15.

COLONIAL OFFICE to REVEREND J. G. BARROW.

[*Answered by No.* 20.]

SIR, Downing Street, January 11, 1907.

I AM directed by the Earl of Elgin to inform you that your letter of the 7th of April, 1906,** announcing your departure from Cape Town on the S.S. "Surrey" and your arrival at Tristan da Cunha, was duly received in this Department on the 12th of May following, and that a communication was made to the press in accordance with your wishes. Your letter was subsequently laid before Parliament, with other papers relating to Tristan da Cunha, in a Blue Book,†† a copy of which is enclosed.

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* No. 10. † No. 8. ‡ No. 12. § See No. 17. ‖ No. 11. ¶ No. 15. ** No. 19 in [Cd. 3098]. †† [Cd. 3098].

2. In October last an extract from a letter, written by you on the 15th of July,* was communicated to this Department, together with a copy of a letter from Mr. Andrew Swain of the same date. Mr. R. B. Balfour also acquainted this Department† with the receipt of a letter from Mr. Repetto, stating that the inhabitants were in need of provisions. On receipt of these communications application was made to the Admiralty for the despatch of a vessel to Tristan da Cunha, but the Secretary of State was informed that there was no war vessel available for the purpose. Inquiries were then made as to the best means of conveying relief to the island and it was found that the most suitable method would be to charter a sailing vessel at Cape Town for the purpose. Arrangements have accordingly been made, through the Governor of the Cape of Good Hope, to charter a vessel to convey stores to the island, and His Majesty's Government have also authorised the purchase of provisions at Cape Town up to the value of £100 for the relief of the immediate necessities of the inhabitants. As these provisions were to be purchased in consultation with Mr. Hammond Tooke, who, is, of course, well acquainted with the needs of the island, it is hoped that they will adequately relieve the distress existing there.

3. Miss F. Barrow, Miss Chance, Miss Moginie, Mr. R. B. Balfour, and the Secretary of the Army and Navy Co-operative Society, Limited, have been informed of the arrangements made. It should be added that the telescope lent by Mr. Repetto to Mr. T. C. Kerry has been returned to this Department and will be sent to the island through the Governor of the Cape Colony.

4. Although His Majesty's Government have been able on the present occasion to make arrangements to meet the immediate requirements of the inhabitants, you will readily recognise that the question of the future requires careful consideration. The Secretary of State understands from the Lords Commissioners of the Admiralty that it is quite impossible to rely on one of His Majesty's ships being available for a visit to Tristan da Cunha when required, and that if periodic visits to the island are to be made, it will be necessary to make special arrangements for them as on the present occasion. For some time past inquiries have been in progress as to the possibility of arranging definitely for an occasional call from a steamship, but no practical means of securing this result has been discovered. So long as the inhabitants remain on the island, there will always be a risk of a recurrence of scarcity of provisions. His Majesty's Government cannot, however, undertake to arrange for the despatch of relief whenever a scarcity of provisions is apprehended, and they would accordingly invite you to use your best endeavours to induce the inhabitants to consider seriously the alternative of removal to the Cape Colony. You should impress on them that His Majesty's ships are no longer available for the purpose of visiting the island, and that the expenses attendant on the charter of vessels for the purpose appear to be out of all proportion to the size of the community or to any object to be attained by their presence on Tristan da Cunha. A free passage to South Africa is offered to any of the inhabitants for whom there may be accommodation on the vessel which takes this letter, and you will no doubt do your best to induce as many persons as possible to avail themselves of the facilities offered.

5. The removal of the whole community would presumably require a vessel having more accommodation than the relief ship now sent, and would involve more time for preparation than can be given on this occasion. The relief ship will, however, remain long enough at the island for you to discuss the question with the inhabitants, and it is hoped that you will do so and subsequently report to this Department whether, if His Majesty's Government decide to remove the remaining inhabitants in a body, and provide transport for the purpose, there would be any insuperable objection on their part to the project. His Majesty's Government will await your report before coming to a final decision in the matter. As there will probably be no further opportunity of communicating with you before the decision of His Majesty's Government is taken, I am to request you to be good enough to report as fully as possible on the situation, and to make any observations or suggestions which may occur to you. In particular it is desirable that you should give, as far as possible, all the information which would be required in dealing with the question of the removal of the inhabitants in a body, such as the amount of accommodation necessary, the best time of year for the purpose, whether the

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* Enclosure 1 in No. 2.

† See No. 1.

islanders would expect to take any stock or gear with them, and, if so, about how much, and any other details which your local knowledge may enable you to supply. It would also be useful if you could conveniently send a classified list of the inhabitants who will remain after the departure of the relief ship.

6. His Majesty's Government have been in communication with the Government of the Cape Colony with regard to the terms on which the islanders would be received in that Colony. The Government of the Cape are not prepared to repeat the offer made to the inhabitants through Mr. Hammond Tooke in 1904, nor are they able to incur any expenditure on the removal or the settlement of the people. They would, however, render such assistance as might be practicable in procuring suitable allotments for the islanders and are instituting inquiries to ascertain what available Crown Lands are best adapted to their settlement. A copy of a statement* embodying the decision of the Cape Government on the subject is enclosed.

I am, &c.,
H. BERTRAM COX.

No. 16.

The SECRETARY OF STATE to the GOVERNOR OF THE CAPE.

[*Answered by No.* 19.]

Sir, Downing Street, January 11, 1907.

I have the honour to acknowledge the receipt of your despatch of the 17th of December,† transmitting a copy of a Minute from Ministers with reference to the engagement of a vessel at Cape Town to proceed to Tristan da Cunha, and to the facilities which they are ready to grant to those of the islanders who may be willing to settle in Cape Colony.

2. In my telegram of the 5th of January, No. 1,‡ I asked you to take the necessary steps to engage a vessel. I now enclose a letter§ to the Reverend J. Barrow, the Chaplain on the Island, with reference to the future of the inhabitants of Tristan da Cunha. I shall be glad if you will arrange for this letter to be placed in charge of the Master of the "Greyhound" for delivery to Mr. Barrow.

I have, &c.,
ELGIN.

No. 17.

The GOVERNOR OF THE CAPE to the SECRETARY OF STATE.

(Received January 28, 1907.)

[*Answered by No.* 18.]

My Lord, Government House, Cape Town, January 9, 1907.

I have the honour to transmit to Your Lordship, with reference to your telegram, No. 1, of 5th January,‖ a copy of a Minute from Ministers relating to the relief for the inhabitants of Tristan da Cunha.

I have, &c.,
WALTER HELY-HUTCHINSON.

Enclosure in No. 17.

Ministers to Governor.

(1/19.)

Minute.

Ministers have the honour to acknowledge the receipt of His Excellency the Governor's Minute, No. 19, of the 7th January, forwarding, for their information, copy of a telegram received from the Secretary of State on the subject of the chartering of a vessel for the conveyance of relief stores to the Island of Tristan da Cunha.

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* Last two paragraphs of enclosure in No. 11. † No. 11. ‡ No. 12. § No. 15. ‖ No. 12.

In reply, Ministers desire to inform His Excellency that they will give effect to the wishes of the Secretary of State, in regard to the engagement of a vessel and the limitation of the spending authority for the purchase of necessaries to £100 of which not less than one-half is to be devoted to the purchase of flour.

In connection with this restricted authority for the purchase of supplies, Ministers think it desirable to forward, for the information of the Secretary of State, the accompanying copy of a memorandum by Mr. P. J. Hannon, the officer entrusted with the arrangements, together with copies of certain letters received by him, bearing on the condition of the Islanders.

L. S. Jameson.

January 9, 1907.

Office of the Superintendent of Agricultural Co-operation,
Cape Town, January 6, 1907.

Condition of Inhabitants of Tristan da Cunha.

The Secretary
to the Prime Minister,

Adverting to previous minutes, I have to inform you that I had a long interview yesterday with Mr. Andrew Kemm, 4, Clifton Cottages, 1st Avenue, Claremont, who apparently has been acting as a sort of volunteer representative for the inhabitants of Tristan da Cunha. Mr. Kemm submitted to me several letters received comparatively recently from the Island, the latest being dated October 31st, 1906. I attach copies of three of these letters, namely, (a) from Rev. J. G. Barrow, dated 15th August, 1906, and apparently forwarded from the Island about the 22nd September, 1906; (b) from Mrs. Repetto, dated August 26th, 1906; and (c) from Mrs. Repetto, dated October 31st, 1906.

These letters embody the latest intelligence from the Island, and may be interesting to the Imperial Government. It will be observed especially that enormous losses have been sustained by the inhabitants there through the death of their cattle and the failure of their potato crop.

The estimated number of inhabitants mentioned in Lord Crawford's Report is undoubtedly considerably below the actual number, and in Mr. Kemm's opinion, there are at present about 80 people on the Island.

In view of the information given me by Mr. Kemm, it will be necessary to modify the schedule of provisions which I originally prepared for the expedition. I shall cancel mealie meal and increase the quantity of flour; the bacon will not be necessary, but coffee and salt may be considerably increased; curry powder will be added, and the quantity of split peas reduced; some spades, picks, garden forks, cups and saucers, knives and forks, and a quantity of soap will be added.

The inhabitants anxiously ask for Martini-Henry ammunition, gun caps, gunpowder, and shot, and I shall be glad if you will advise me whether any of our available funds may be expended on supplies of this character.

P. J. Hannon.

Dear Mr. Kemm, Tristan da Cunha, August 15, 1906.

I promised to write to you from here, and so am now doing so. We received the kindest of welcomes from everyone on the Island, and ever since we landed, on April 8th, nothing but kindness has been shown us. The great needs of the people are flour and clothes. Clothes, new or old, are much needed by both the men and women. We have sighted several ships all going east, but have only been able to board two, one on the 10th of July and the other on the 27th July. By both we sent letters. Among the letters sent on the 10th July was one to your employer (Mr. J. D. Cartwright, and Company, Mansion House, Adderley Street), containing an order for goods which I hope he will be able to send by the man-of-war. Have you heard anything more of your petition? I hope you have, and that it is now quite settled that a man-of-war will come this coming summer. We are now near the end of winter. The Islanders are all quite well, and would, I know, wish to be remembered to you. We are quite well to I am glad to say. Mrs. Barrow joins me in kind remembrance to you and your wife. It would be a great thing if you could get a Cape schooner to come here and take some of the cattle and sheep. A buyer would get them cheap—about 50 cattle and 300 sheep.

Believe me, &c.,
(Rev.) J. G. BARROW.

P.S.—22nd September. Since writing the above many cattle have died, so there are none for sale, but many sheep could be sold.

DEAR ANDREW AND MARY, Tristan da Cunha, August 26, 1906.

MAY these few lines find you enjoying good health as it leaves me and my husband and the children in the best of health, also all on the Island. If I could only see you I would have many a tale to tell you what dreadful times we have this year with our cattle. We have 195 dead already, and I am sure it will be many more; every day it's cattle dying, only think of it, and our potatoes are getting low, as we had a very few this year. I do not know what to make of it. I believe most all the cattle will be dead before the winter is over. Most every family have had a heavy loss, and only got about two or three cows left. To-day is Sunday, which is very cold, and to-morrow the men have more (cattle) to skin. Andrew has two cows and two bullocks to skin to-morrow. Isn't that hard for one with a large family, and to tell you the truth, we will feel it dreadful, for when November comes in you will often think how we were getting on. I hope we will get some ships, as we have only had two ships since the "Surrey" left. We saw one three days ago, but it was too rough to get off. I hope we will get some later on. Don't forget to send me some coffee and two mugs to drink my coffee in. I am very fond of coffee, especially on cold days. I will send you what little money I have, also some horns and socks. . . . . . If you please, send a spade, the men don't do much ploughing now, it's all spading. It's two weeks to-morrow since the boys have been up Seal Bay, and brought down four bullocks; they have about 40 cattle up there now, so I think it's very good, so when there's no meat fit here it's fit there. . . . . .

Your true Cousin,
FRANCES REPETTO.

DEAR ANDREW AND MARY, Tristan da Cunha, October 31, 1906.

. . . . All on the Island quite well at present. It was a very nasty bitter east wind yesterday, and the potatoes got blighted, and nine more cattle are dead. We have lost 375 cattle dead now. We are having a hard time now, if we lose any more I don't know what we shall do. A ship is in sight, and the boat is off fishing. We are calling them in; I do not know if they will be in time. Will you please be so kind as to fetch me a bag of flour. I have little money, at least £15, and will pay you when you come. . . . . . . We are all well, also the Minister and his wife and maid are all getting on well now. Excuse my short letter.

(MRS.) FRANCES REPETTO AND HUSBAND AND CHILDREN.

No. 18.

THE SECRETARY OF STATE to THE GOVERNOR OF THE CAPE.

(Sent 6.10 p.m., January 28, 1907.)

TELEGRAM.

January 28. No. 1. In reply to your despatch 9th January,* His Majesty's Government are anxious to relieve pressing necessities of islanders, but do not desire to encourage them to rely on recurrent assistance from Government, especially as question of removal of whole community has been raised. With this proviso, His Majesty's Government are willing to authorise expenditure up to £150 instead of £100 sterling on provisions, &c., including ammunition, at discretion of your Ministers. As regards ship it is understood that maximum cost named includes risk of damage or loss, so that there is no occasion for His Majesty's Government to insure.—ELGIN.

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* No. 17.

No. 19.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received February 23, 1907.)

(Extract.)

MY LORD, Government House, Cape Town, February 5, 1907.

WITH reference to your Lordship's despatches and to the telegrams which have passed on the subject of the despatch of a vessel to Tristan da Cunha, I have the honour to report that the vessel "Greyhound" sailed on the afternoon of the 4th instant for the island. Stores, mails, parcels, the telescope, the transmission of which was notified in your despatch of the 5th January,* and the letter forwarded in your second despatch of the 11th January,† will be delivered to the Reverend J. G. Barrow on arrival. The Naval authorities have furnished the Master of the vessel with a chart and instructions as to the approaches to the island. On its return voyage, the "Greyhound" will convey to Cape Town, free, any inhabitants wishing to leave the island. Signal flags, which have been provided by the naval authorities, have been sent under charge of the Master, to hand to Mr. Barrow. Instructions have been given that such signal flags as are not required shall be returned to the Naval Yard, and that a receipt shall be obtained and forwarded to the Naval Store Officer at Simonstown from the islanders, for such flags as are retained. The Master has received instructions to report upon several matters in connection with the welfare of the islanders.

2. I forward a copy of the shipping instructions which have been issued to the Master of the "Greyhound."

3. I am promised a full report shortly and will forward it in due course.

I have, &c.,
WALTER HELY-HUTCHINSON.

Enclosure in No. 19.

SHIPPING INSTRUCTIONS.

PATRICK JOSEPH HENRY HANNON, Superintendent of Agricultural Co-operation, Cape of Good Hope, Officer appointed by the Colonial Government at the instance of the Imperial Government, for the forwarding of Supplies for the Relief of the Inhabitants of Tristan da Cunha, to Messrs. STEPHAN BROTHERS, Owners of the S.V. "Greyhound," now at the Cape Town Docks, James Stupington, Master.

GENTLEMEN,

I HAVE the honour to direct that, in accordance with notice already given, the S.V. "Greyhound," James Stupington, Master, shall be in readiness, fully equipped for sailing, on Monday the 4th February, at the hour of 10 o'clock a.m.; and that you shall provide, and have completed by that time, such arrangements and negotiations as are necessary under the laws of this Colony with reference to all vessels leaving our ports.

That on, and from, the 1st proximo, the said Master of the said sailing vessel shall hold himself in readiness to receive from the Colonial Government all supplies, cargo, mails, and other matter which it may be found necessary to forward to the Island of Tristan da Cunha, in accordance with the provisions of owners' letter, dated 14th January, 1907.

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* Not printed.

† No. 16.

Due notice having been already given of the date upon which the said vessel is required to sail in accordance with the terms of owners' tender under covering letter, dated 14th January, 1907, to the Colonial Government, the said owners shall provide that loading shall be completed not later than Monday morning the 4th instant at 9 a.m.

In accordance with the terms of said tender, which has been duly accepted by the Colonial Government, the Owners shall instruct the said Master, in the event of passengers offering from the Island of Tristan da Cunha for Cape Town on the return journey, to carry such passengers free, supplying them with food at the rate of 2s. 6d. (two shillings and six pence) per day per head, exclusive of liquor.

Children returning with their parents under the age of one year to be carried free; and in the case of children who are of tender years, they are not to be carried by said Master from the island to Cape Town unless accompanied by their parents.

Should there be children or invalids that require special food, said Owners shall be entitled to charge for said food at extra rate.

The Owners are required to instruct their said Master, subject to the Act of God, Perils of the Sea, and all other unforeseen and unavoidable happenings, to proceed to, and return from, the Island of Tristan da Cunha with all possible despatch after the vessel shall set sail on the 4th proximo.

The said Owners shall be entitled, should it seem desirable to them, to direct the said Master to spend such time among the group of islands before the return journey as may be reasonable, not exceeding in the aggregate 20 days.

The said Owners shall direct their Master to carefully keep a log of the entire voyage, and such log must be submitted for the inspection of the officer acting on behalf of the Government immediately after the return of the vessel to Cape Town Docks.

The said Owners shall be entitled to receive from the Colonial Government, acting on behalf of the Imperial Government, a sum of £6 (six pounds sterling) per diem for each and every day, holidays and Sundays included, subject to a minimum payment of £180 (one hundred and eighty pounds sterling) and a maximum charge of £260 (two hundred and sixty pounds sterling). Such charges shall only be made for the actual time that said vessel is engaged on the outward and return journeys, or is detained at the island for purposes incidental to the trip, and such time, not exceeding the 20 days aforesaid, as may be spent on the private enterprise of the Owners, and which shall be duly set forth in the Master's log, shall not be chargeable to the Colonial Government acting on behalf of the Imperial Government.

Under no circumstances shall the Colonial Government, acting on behalf of the Imperial Government, be chargeable with a greater sum than the said maximum of £260 sterling.

The said Owners shall be entitled, in the event of their vessel returning to Cape Town prior to the freight accruing to the maximum amount, and having sustained any damage caused by an unforeseen accident of an unavoidable nature, and not on account of defective seamanship to the hold and sails, to a refund of cost of repairing such damage, but the total amount payable by the Colonial Government, acting on behalf of the Imperial Government, shall not in any case exceed the said maximum figure of £260.

The said Owners shall receive and convey all cargo and matter whatsoever delivered to their said Master by the Colonial Government to the Island of Tristan da Cunha not exceeding in the aggregate 300 tons.

The said Owners shall issue to the said Master of the S.V. "Greyhound" the instructions which are set forth hereunder, and shall submit to the officer acting on behalf of the Colonial Government a duly authenticated receipt from said Master for such instructions and his consent to duly and faithfully have such carried out:—

(i.) The said Master shall receive and convey the relief stores set forth on the schedule attached to this letter of instructions and marked "A," and deliver such to the Reverend J. G. Barrow, a Clergyman of the Church of England residing on the island, and shall receive his receipt therefor, and shall inform the said Reverend J. G. Barrow that he shall distribute among the islanders the said stores in such manner as may seem to him just and proper.

(ii.) The said Master shall receive from the Postmaster-General of the Cape of Good Hope certain mails, of which a schedule shall be supplied by the said Postmaster-General, and shall deliver said mails to the Reverend J. G. Barrow at Tristan da Cunha and shall receive therefor a receipt, signed by the Reverend J. G. Barrow, which shall be lodged on the return of the S.V. "Greyhound," with the Colonial Government, for the information of the Right Honourable the Secretary for the Colonies.

(iii.) The said Master shall receive the parcels set forth on schedules attached hereto and marked, respectively, B 1, B 2, &c., and shall, for each and every such schedule, receive a receipt from the Reverend J. G. Barrow, and shall return such receipts immediately on arrival of the S.V. "Greyhound" at the Cape Town Docks, to the officer representing the Colonial Government in connection with this expedition.

(iv.) The said Master shall report himself on or before the 2nd proximo to the Vice-Admiral at Simons Town and shall receive from him charts and instructions with reference to his journey, and shall faithfully carry out such instructions thus received from the Admiralty, and shall report on his return how far he has been able to give effect to such instructions.

* * * * * * * * *

(vi.) The said Master shall receive, convey, and provide with food from Cape Town to the island of Tristan da Cunha two third-class passengers named respectively, C. Green and William Swain; and the said Master shall be entitled, in accordance with agreements duly signed by said Swain and Green, to demand such services from said passengers on their arrival at the island and shall repay the Owners for food only supplied during the voyage.

(vii.) The said Master shall receive a parcel specially referred to on special schedule attached hereto containing 27 signal flags (International Code) which are being forwarded by direction of the Lords of the Admiralty; and the said Master shall ascertain whether all such flags are required on the island, and shall give such instructions with reference to the use of said flags as may be necessary to such persons as may be nominated by the Reverend J. G. Barrow; and said Master shall arrange, after examination of parcel of flags referred to on schedule attached hereto and which the said Master shall convey to the island, to hand over to the Reverend J. G. Barrow only such flags as may be missing from the complete set, portion of which is understood are now in the hands of the islanders, and such flags as are not required shall be returned by the said Master to this office from which they shall again be handed back to the Admiralty.

(viii.) The said Master shall specially take in charge and shall convey and personally deliver to the Reverend J. G. Barrow, Church of England Clergyman on the Island of Tristan da Cunha, a certain letter attached hereto from the Under Secretary for the Colonies, enclosing copy of minute from His Excellency the Governor of the Cape Colony with reference to the landing of islanders in the Colony of the Cape of Good Hope, and having, as a further enclosure, Blue Book [Cd. 3098], and shall obtain from the said Reverend J. G. Barrow a receipt for this letter and Blue Book, with such report as the Reverend J. G. Barrow may be good enough to prepare for the information of the Imperial Government.

(ix.) The said Master shall receive and shall faithfully deliver to the Reverend J. G. Barrow at Tristan da Cunha the following instruments which are being forwarded at the instance of Mr. Peringuey, Curator of the South African Museum, for meteorological purposes on the island. viz.:—

1. Aneroid barometer;
2. Maximum and minimum thermometer and hygrometer;
3. Mercurial thermometer;

4. Rain gauge;
5. Screen for the use of instruments;
6. Parcel of literature.

(x.) The said Master shall ascertain, in consultation with the said Reverend J. G. Barrow and the principal of the islanders whether it is the intention of the islanders at any future time to migrate into this Colony, and what accommodation may be required in the event of such migration at the instance of the Imperial Government.

(xi.) The said Master shall ascertain and report on his return to Cape Town Docks, for the information of the Colonial Government, what industries or trade, as between Tristan da Cunha and the Cape Colony, may offer in order to enable the Colonial Government to decide whether a sailing vessel or steamship service at certain intervals may not be possible as between the island and this Colony.

(xii.) And the said Master shall further, in the exercise of his judgment, acquire such information and report such particulars of the conditions and circumstances of the islanders as may be of interest to the Colonial and Imperial Governments; and shall duly furnish such information immediately upon his return to this office.

I shall be glad to have an immediate acknowledgment of this letter of instructions, and the assurance of the Owners of their being faithfully carried out, with a certified receipt from the Master that he has seen and read this communication, and is prepared in every particular, so far as may be within his power, to comply therewith.

I have, &c.,
P. J. Hannon,
Superintendent of Agricultural Co-operation.

"A."

Schedule of Goods for Tristan da Cunha.

Forwarded through P. J. Hannon, Esq., Superintendent of Agricultural Co-operation, Cape Town.

6 enamel pie dishes.
6 enamel pie dishes.
1 doz. enamel chambers.
2 tinned steel saucepans (5 pints).
2 tinned steel saucepans (12 pints).
2 enamel stew pans.
6 gal. buckets.
6 doz. teas R.L.
5 doz. plates.
5 doz. soups.
½ doz. vegetable dishes, 10 in.
½ doz. vegetable dishes, 9 in.
1 doz. cov. spg. bowls.
2 doz. tumblers.
1 doz. churn jugs.
1 doz. teapots.
5 doz. egg cups.
4 meat dishes, 11 in.
4 meat dishes, 12 in.
3 doz. pairs knives and forks.
3 doz. silvern teaspoons.
2 enamel stew pans.

100 bags flour.
8 bags salt.
15 bags T.R. rice.
5 boxes Ceylon tea.
2 bags Rio coffee.
42 pockets white sugar.

"B 1."

Schedule of Goods for Tristan da Cunha

1 drum paint.
1 cask cement.
4 rolls lead.
1 case glass.
2 jars preserves.
1 canvas package literature.
2 boxes glass.
1 parcel books.
1 parcel literature.
Box and papers.
Literature.
1 box.
1 canvas package literature.
1 lot linoleum.
1 paper packet.
1 paper parcel.
1 paper parcel.

"B 2."

Schedule of Goods for Tristan da Cunha.

Parcel containing 27 flags, international code.

"B 3."

Schedule of Goods for Tristan da Cunha.

1 telescope.

"B 4."

Schedule of Goods for Tristan da Cunha.

1. Aneroid barometer.
2. Maximum and minimum thermometer and hygrometer.
3. Mercurial thermometer.
4. Rain gauge.
5. Screen for the use of instruments.
6. Parcel of literature.

No. 20.

Rev. J. G. BARROW to COLONIAL OFFICE.

(Received April 27, 1907.)

Sir, Tristan da Cunha, March 5, 1907.

I beg to acknowledge your letter of the 11th of January* stating that relief had been sent to the inhabitants of this island, requesting me to discuss with them the question of their removal, asking for a report on the situation and for information on certain points, and inviting observations and suggestions. I beg also to thank you for the Blue Book.

The relief ship, the schooner "Greyhound," arrived here on the 3rd, and is now landing the stores.

The islanders desire to express their warmest thanks to His Majesty's Government for this gift and to say it is most acceptable, the stores being just what they needed.

This morning I called a meeting of islanders over the age of 15. All came, except Mr. and Mrs. Andrew Hagan, who were unavoidably absent. I first read to them your letter, explaining it as I went along. Then, putting it down, I told them its contents, laying stress on the points: (1) a warship could no longer come here; (2) there will always be a risk of the scarcity of provisions to people living here; (3) when a scarcity occurred the Government could not undertake to send relief; (4) neither their number nor any object to be attained by their living here justified the cost of sending a ship to visit the island; (5) the offer of a free passage to South Africa now to as many as the schooner can take.

I then discussed the question of their free removal in a body. When satisfied that they understood the matter, I asked them what they would do. I said anyone over the age of 15 might go by this ship, but that those between that age and 21 must have their parents' consent and satisfy me that they had friends at the Cape who would receive them. Old, middle-aged, and young were unanimous in replying they did not want to go; some declaring "we had rather starve here than at the Cape." I am sure they spoke their minds, and that they would only go under compulsion. After a little more talk, I asked each as they left the room, "Would you like to go, either now or later?" Each said "No," but old Mrs. Glass added, "I would go if £100 were given me," and William P. Swain, a young man whom the schooner has just brought back from the Cape, "I would like to go in a year's time."

There were 38 islanders at this meeting. Later I saw the two absentees, Mr. and Mrs. A. Hagan, and went through the whole matter again with them. Their answer too was a firm "No."

March 6th. At a meeting to-day I took the opportunity of asking if anyone had changed his or her mind as to going. No one had.

I have some hesitation in saying it, because we have been here only 11 months, but both my wife and myself have no doubt as to their decision being a wise one. With the exception of the younger unmarried people, some of whom we think ought to leave, we believe the islanders would be much worse off elsewhere. With all their privations they are much better off than many a working-man we have known at home.

It should be borne in mind that there is always a need of provisions here, *i.e.*, of such things as flour, rice, tea, coffee, and sugar. Scarcely a month passes by without witnessing a lack of these in one or other of the families. This is privation—a privation to be much regretted—but it does not cause distress.

From 8th April, 1906, to this day, the period of our residence here, the islanders have been without these provisions for months together. Worse still, owing to blight by wind the potato crop had been so poor that for three months (September, October, and November) of 1906 some families had no potatoes of their own, though they got a few from more fortunate neighbours. Also, through those months and the two previous ones there was scarcely any milk—for weeks none at all. This was due to the death of cattle. The island had been allowed to become overstocked, and the result was that between June 1st and November 10th 371 cattle died of hunger, or from hunger as the prime cause.

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* No. 15.

This scarcity of potatoes and of milk intensified the privation which is always present, but did not cause distress, and there has been no danger of starvation.

Should the potato crop so fail as to leave all the families in the state of those mentioned above, then there would be distress and even danger of starvation. But without such a failure I do not think there will ever be distress on the island.

In my opinion the marriage question is more prominent than the question of distress. The islanders are becoming so closely intermarried that I do not see how the young people are to find wives and husbands from among themselves.

This year's potato crop, now nearly gathered, is a good one. But again this year, as has been the case each year since it was first noticed eight years ago, disease in the crop is somewhat more marked.

In the marriage difficulty and in the possible failure of the potato crop I find very cogent reasons why, if the occupation of the island is still to be allowed, there should be at least a yearly visit to it. This visit should be paid not earlier than the middle of December, for not until then is danger from the blighting wind over; and not later than February, so as to ensure the knowledge of a failure reaching England in time to be of use. It should be noticed that December, January, and February offer the best weather to ships calling here.

A yearly visit would meet the marriage difficulty by enabling the young people to find partners at the Cape, from which place, if possible, the visiting ship should come.

It appears to me that this question of communication with the island, upon which depends the island's prosperity, itself depends upon whether a paying trade can be started.

I am strongly of opinion that a trade in sheep could be started and be made to pay. Other productions—pigs, donkeys, wool, seal-skins, and especially dried snook would all help; and as payment would be in goods there would be profit made there. For two or three years a small subsidy, say from £50 to £100 a year, might be necessary. Perhaps pigs and dried fish could be added, but I am most confident about the sheep. The island is well suited to them and thousands could be bred. They can climb almost anywhere and find pasture where cattle cannot, and are easily moved and easily embarked. No lengthy preparation, no plant, no initial expenditure are needed before the trade can be started. It can begin at once. All that is needed is a ship and a market. At this moment from 300 to 400 sheep could be shipped. By last October I had become so convinced that sheep-breeding would pay, if only a market could be found, that since then I have been looking out for an opportunity of going to the Cape in order to do what I could to get a trade started. And with this object in view I should leave with the relief schooner, were it not that a gentleman who came in it has promised to do what he can to start a trade.

This gentleman is Mr. Caspard Keytel, a member of the firm of Messrs. Stephan Bros., Cape Town, the owners of the schooner. Mr. Keytel has promised to ask his firm to undertake the business. If his firm cannot, he has kindly promised to do his best to find someone who can. Mr. Keytel has won the confidence of us all, and is making valuable suggestions to the islanders. They have placed themselves in his hands so far as this matter is concerned, and I think wisely, and have promised if he can bring, or cause to come, a ship next January to sell 300 to 400 sheep at any price he names. They have also promised to wait until the end of February before opening negotiations with anyone else. I hope this action on their part will show that they are keenly alive to the importance of starting a trade and are ready to make sacrifices for that purpose.

Appended is a classified list of inhabitants. We are all well.

I regret there is not time to make this communication more complete. Any information now omitted I will endeavour to supply on the next occasion of sending off letters.

I would like to say we find the islanders truthful, honest, and industrious, brave, courteous, generous, and most kind. All are well.

I have, &c.,
J. G. BARROW.

The Under-Secretary of State,
Colonial Office, London, S.W.

P.S.—The telescope mentioned in your letter has been safely received.

J. G. B.

Should the Government enter into an arrangement with Mr. Keytel, or with anyone else, may I venture to suggest, Sir, that restrictions should be placed upon the introduction of spirituous liquors and upon Sunday labour?

J. G. B.

LIST OF INHABITANTS on Tristan da Cunha. March, 1907.

"The Old Hands."

Name.	Age.	State.
1. Caroline Swain	78	Spinster.
2. Elizabeth Cotton	75	Spinster.
4. Martha Green	70	Widow.
5. Mary Caroline Glass ...	68	Widow.
6. Susannah Martha Swain ...	63	Widow.
7. Lucy Ann Taylor Green ...	56	Widow.
8. Sarah Cox Rogers	55	Widow.
3. Eliza Hagan	75	Widow.

It will be observed that the "Old Hands" are all women. It is possible that one or two may be older than here stated.

Families.

Husband.	Age.	Wife.	Age.	Children.
William Samuel Swain ...	49	Lucy Jane Gray	40	6
Andrew Hagan	46	Susannah Martha	35	3
Andrew Edward Swain ...	42	Selina Ann	29	6
Henry James Green	42	Mary Magdalene	38	5
Andrea Repetto	41	Frances Caroline	30	6
Gaetano Lavarello	38	Mary Jane	30	4
John Rider Glass	37	Jemima Jane	33	2
Samuel Robert Swain	32	Selina Ann	26	4
William Henry Rogers	32	Jane Elizabeth	23	3
Robert Edward Green	27	Louisa Ann	38	5

N.B.—In island phrase there are 17 "families," which is quite a correct use of the word; but I use the word here to denote only those who have children to provide for.

It will be seen that there are no widowers, and, except among the "Old Hands" (who have no young children) no widows, on the island.

Unmarried Adults.

Name.	Age.	Remarks.
Men.		
Benjamin Louis Swain	37	Has crippled arms.
Thomas Rogers	33	Been to the Cape twice.
William Peter Green	30	Been to the Cape once.
Charles Henry Green	24	Just returned from the Cape.
William Patrick Swain	22	Just returned from the Cape.
Women.		
Rebecca Ann Swain	30	
Charlotte Gray Swain	22	
Lily Jane Gray Swain	20	
Lydia Parker Ruth Swain ...	18	

N.B.—The unmarried among the "Old Hands" are not included here.

Children.

Name.	Age.	Name.	Age.
Boys.	Years.	*Boys.*	Years.
William John Alfred Green ...	17	Arthur Ernest Repetto	6
William Thomas Rogers	15	William Peter Repetto	5
Frederick Jacob Swain	12	Charles Henry Green	5
John Baptist Lavarello	11	Percy Herbert Lavarello	5
James Samuel Swain	10	Thomas Robert Swain	4
John Edward Green	10	Joseph Andrew Dudley Repetto ... (These attend daily school.)	2
Robert Franklin Lavarello	9	Christopher James E. Green ...	1
George Alexander Swain	9	David James Hagan	1
Harry Andrew Swain	8	Jack Anderson Rogers	1
Arthur Henry Rogers	7		Months.
Edward Thomas Green	6	Richard John Swain	5
William Joseph Lavarello	7	William Gordon Glass	1

Name.	Age.	Name.	Age.
Girls.		*Girls.*	
	Years.		Years.
Ethel Mary Green	12	Maggie Ann Swain	8
Maria Elizabeth Green	12	Edith Sarah Swain	6
Emma Matilda Hagan	12	Rose Ann Swain	6
Sophia Louisa Rogers	12	Mary Elizabeth Rogers	5
Mary Susan Repetto	11	Florence Ann Swain	4
Martha Frances Repetto	10	Mary Clara Caroline Swain	4
		(The above attend daily school.)	
Selina Ann Swain	10	Eliza Ann Swain	1
			Months.
Mary Mabel Hagan	10	Annie Gertrude Ellen Green ...	6
Susan Elizabeth Repetto	8	Rachel Caroline Swain	3

Summary.

1. The old hands:—		
Spinsters	2	
Widows	6	
	—	8
2. Families (husband and wife only)		20
3. Unmarried adults:—		
Men	5	
Women	4	
	—	9
4. Children:—		
Boys	23	
Girls	18	
	—	41
Total number of islanders		78

There are also living on the island:—

The Rev. J. G. Barrow (Clergyman in charge).
Mrs. Barrow (his wife).
Miss E. F. Holden (their helper).

J. G. B.

No. 21.

THE GOVERNOR OF THE CAPE to THE SECRETARY OF STATE.

(Received May 18, 1907.)

MY LORD, Government House, Cape Town, May 1, 1907.

I HAVE the honour to transmit to your Lordship, with reference to my despatch, of 13th February last,* a copy of a minute from Ministers on the subject of the relief of the inhabitants of Tristan da Cunha.

I have, &c.,
WALTER HELY-HUTCHINSON.

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* Not printed.

Enclosure in No. 21.

MINISTERS to GOVERNOR.

(No. 1/276.)

(Minute. Extract.)

May 1, 1907.

Ministers have the honour to advert to their minute to His Excellency the Governor, No. 1/101, of the 12th February, 1907, announcing the departure from Table Bay of the schooner "Greyhound," chartered on behalf of His Majesty's Government to convey supplies for the relief of the inhabitants of Tristan da Cunha, and to state that the "Greyhound" returned to port without mishap of any kind on the 4th instant. The islanders expressed great gratitude for the timely assistance received.

Ministers now beg to enclose, for His Excellency's information, and for transmission to the Right Honourable the Secretary of State for the Colonies, copy of two letters addressed to Mr. Hannon by the Reverend J. G. Barrow during the brief stay of the relief vessel, covering many points of interest in connection with the future welfare of the inhabitants. In addition, Ministers have the honour to forward a report on the Island prepared by Mr. P. C. Keytel, one of the partners in the firm of Stephan Brothers, the owners of the "Greyhound." This gives some useful information on the character and resources of the Island.

Ministers would add that they will shortly be in a position to transmit to His Excellency, for the information of the Secretary of State, a final report on the expenditure incurred on this service on behalf of His Majesty's Government..

DEAR SIR,

Tristan da Cunha, March 9, 1907.

I HAVE much pleasure in replying to your letter in connection with the relief sent to this Island, and dated 31st January, 1907.

The Islanders desire me to thank you, as Officer in Charge of the Relief Expedition, very warmly for all you have done for them in the despatch of it. We are conscious that the thought and labour entailed must have been great. We are most grateful for the well-chosen supplies it has brought, and thank, with all our hearts, all concerned in the sending of them.

The "Greyhound" was sighted on Saturday at 6 a.m., about 30 miles off. We went out to her in two boats, and brought back Mr. Keytel and some of the mails. On Monday four boats put off and returned with flour after being out 12 hours—a bag of it was next day taken to each house.

I will now do my best to answer your letter, taking its points in order:—

(1.) The copy of shipping instructions which your letter mentions as being attached has not reached me. I cannot, therefore, say how far they have been carried out.

(2.) *Regular Communication.*—The Island will never do anything but give trouble and expense without this, but with it I believe it will prosper and pay its way. Of course the community here can never be a large one, but it can be a flourishing one.

Were there regular communication the young people would do two things, both bearing on the prosperity of the Island. Some would leave, which they ought to do, and some would get wives and husbands from outside. As things are at present, if the people are to marry, they must inter-marry, not only to a wrongful, but to a dangerous, degree. I consider the inter-marrying danger much nearer than the danger of starvation. People are not likely to starve here; are not likely to be reduced to hunger, although their food may be reduced to flesh, fish, and potatoes, which has actually happened since our arrival. The failure of the potato crop would be most serious. Anyone living here *must expect privation as a matter of course, as they expect wind and rain*, that is under present conditions.

(3.) *Trade and Industries.*—But how is this regular communication to be had? Only in one way: by starting a paying trade. Can such a trade be started here? I think it can; and I think we have convinced Mr. Keytel it can be, who, much to our pleasure, has been living amongst us since Saturday the 3rd, and making himself acquainted with the resources of the Island. Well, then, what trade?

A trade in sheep. If only a market can be found, the Island, in my opinion, will soon be able to breed sheep in sufficient number to pay a ship (perhaps a small steamer) coming twice a year. Probably for the first two or three years some help, say £50 to £100, would be necessary. This might be gradually repaid by the Islanders. Sheep thrive well here; they can be easily moved to fresh pastures, and can be easily embarked. The Islanders describe themselves as farmers, and own at present about 800 sheep, so that sheep breeding is not new to them. As the rearing of these sheep does not cost them one penny, they can afford to sell at a very low rate. Nothing is wanted before this trade can begin but a ship. So anxious are the Islanders to start a trade here that, with my entire concurrence, they have placed themselves, as regards this matter, in the hands of Mr. Keytel, and have undertaken to sell next January 300 to 400 sheep at any price he offers, and to wait for him until the end of February before opening negotiations with anybody else. We have all been glad to welcome Mr. Keytel, and to give him every information and assistance in his enquiries in accordance with the hope expressed in your letter of introduction. He has very kindly promised that if his own firm cannot start trading with us, he will do his best to find someone else who can.

While the living sheep would form the great bulk of the trade, other productions would help to swell it. There would be a fair amount of wool, and a few sheep skins. Pigs do well here, and so do donkeys. From time to time casks of salt beef could be shipped. Snook may become an important industry, perhaps the most important, and abounds off the coast, and could be supplied in large quantities in the form of moetjes, and now and then seals might be had.

(4.) *Intellectual Tendencies.*—At present there are none to be discerned. There has been no education for 18 years.

(5.) *Plans for the Benefit of the People:*—

(*a*) Religious teaching.
(*b*) Secular teaching (the three R's).
(*c*) Improvement of dwelling houses.
(*d*) Gardening.

Gardens, as we understand the word, are unknown. Onions, cabbages, parsley, thyme, and pumpkins are the chief things liked. When they are grown it is in the midst of weeds, behind some wall or stones. I want to see a small flower and vegetable garden attached to each house. The damage done by children and chickens has been pleaded as an excuse for not cultivating a garden. The fact is, the importance of vegetable diet is not understood.

(6.) *The Transfer of the Islanders.*—I have written at some length to the Imperial Government on this subject. At its request I have discussed it with the people who are entirely opposed to the idea. "They would rather starve here than at the Cape." I think their decision is a wise one. If only a trade can be started they will be a happy, prosperous folk, and they deserve to prosper, for they have many virtues—truthful and honest, brave and generous, well mannered and industrious—they are worthy of all that can be done for them.

For the reason that they are dead against emigrating, and that I am very hopeful of a trade arising, and because my private correspondence is so large that I must omit something from my letters to you and the Home Colonial Office, I have deferred sending the information that would be useful in the event of removal in a body.

Your letter has given much pleasure to my wife and myself. We are not in the least worthy—or more correctly, I am not, for I think my wife is—of the very kind things you say of us, but none the less we thank you for showing us that our work here has at least one friend and well-wisher in an influential position at the Cape. My wife joins me in kindest regards, and in thanking you for your very kind invitation. I shall certainly make the pleasure of calling upon you one of my first duties when next in Cape Town.

Believe me, &c.,
J. G. Barrow.

P. J. Hannon, Esquire,
Cape Town.

Dear Sir, Tristan da Cunha (undated).

Since writing my reply to yours of the 31st January, Mr. Keytel has brought me a copy of the shipping instructions. I have carefully read them, and, as far as I can judge, should say they are being duly carried out.

Instruction V.—C. Green and Wm. Swain have arrived safely.

Instruction VII.—Flags. We are retaining the set because they are too small to be used with the imperfect set we have. I have handed them to Mr. Repetto to use and guard. Please thank the Admiralty for them.

VIII.—The letter and contents safely received.

IX.—Please thank Mr. Peringuey, and say I will do my best to use the instruments.

Schedule "A." The islanders will be most grateful for these very useful household goods.

Yours, &c.,

P. J. Hannon, Esquire. J. G. Barrow.

P.S.—I fear the writing of this, and of my report to the Colonial Office in London, has delayed the schooner one day.

J. G. B.

Report on Tristan da Cunha.

Despatch of the S.S. "Greyhound" to Tristan da Cunha.

Mr. Caspar Keytel's Report.

I left Cape Town in the schooner "Greyhound on the 7th February, 1907, and after an uneventful voyage the vessel dropped sail a few miles off Tristan da Cunha on the morning of the 2nd March. We sighted the island 85 miles away at noon the previous day, but soon afterwards heavy clouds hid it from view and the peak was not again visible until the evening.

Our approach had been observed, and two boats from the island came alongside. The excitement of the occupants was most marked, and they lost no time in boarding our ship to learn the object of the call and to hear the latest news of the outer world.

Half an hour later I left with the boats for Tristan da Cunha, taking with me the mail and a number of parcels. A strong north-westerly breeze was blowing, and the seas we shipped soaked us to the skin. All the settlers turned out to welcome our arrival at the landing cove.

I found the community all in good health and that no death had occurred since 1904. The children suffer from diarrhœa and slight colds occasionally, and this I put down to the ox-hide moccassins they wear, for once they get wet they remain damp for the rest of the day. Asthma, too, is fairly prevalent amongst the elder people, but taken all round they are a very healthy lot. I could trace no other ailments.

The settlers have about 800 sheep, 120 cattle (of which about 40 are running wild on the west side of the island), 18 donkeys, 20 pigs, 60 geese, and over 100 fowls.

Cattle, I am convinced, they will never be able to trade with, for ships cannot with safety approach nearer than two miles from the land, and it is practically impossible to swim the animals out so far to sea. The weather last winter was exceptionally severe and cold, and 369 head of cattle, including nearly all the milch cows, died.

Fish is plentiful round the shores, but little can be done in the way of curing, owing to the green flies, which are a pest. The season for snook, the most important fish, I am told, is from November to January, and during those three months the flies are the most troublesome. Further, owing to the incessant rains and extremely damp weather in general, the curing of fish will always be a difficult undertaking.

For half a mile from the shore kelp (sea weed) is to be found in abundance, and it is between these weeds that the fish are so plentiful. The kelp is much stronger and coarser than that found in Table Bay.

I made enquiry regarding the collecting of guano and sealing—thinking that my firm might run a vessel regularly if the islanders would assist us with labour; but I was soon convinced that nothing could be done with guano in any paying scale, and that sealing would be a very uncertain industry.

First class guano is to be found in the tussock grass on Tristan, Inaccessible, and Nightingale Islands, where the rookeries are; but the swampy nature of the ground where it is deposited, renders collection extremely difficult. There are other places above high water mark that are occupied by thousands of penguins during the moulting season, but owing to the rain and heavy seas their runs are swept clean at short intervals.

Nightingale Island has no caves, but there are two on Inaccessible Island. One is fairly dry and frequented by a few seals, and the other is close to the water's edge and always wet.

I visited the potato patches which lie on the west side of the island three miles from the settlement. Each householder has an acre of ground under cultivation, enclosed with a stone wall, which serves as a protection from the winds. The average crop for the last five years has been 350 muids annually. The islanders sow in September and reap their crops in February and March.

Rats are to be found everywhere, and I fear they will be a great pest in a few years. They live principally on young sea birds and sea birds' eggs; and to exterminate them will take years of systematic poisoning.

On the south-east side of the island, about seven miles from the settlement, there is an orchard consisting mostly of apple trees, about 80 in number, which grow wild, as no one understands pruning. The apples ripen in March, but are picked in February for fear of the depredations of the rats. There are also some peach trees and one solitary vine, but for some reason or other they bear no fruit. In February last 40 bushels of apples were gathered.

Firewood is becoming very scarce near the settlement, but there are any number of trees on the other parts of the island.

The islanders possess four boats which are about 22 feet in length and the shape of a whale boat. The outside is covered with canvas and each boat can easily carry 1,500 lbs. in weight. The crews are splendid sailors and quite fearless. Last year they communicated with one yacht, nine barques, three steamers, two ships, and two whalers. The passing vessels sighted, numbered 17 barques, 20 ships, and one steamer.

The following are the names of the islanders:—

Families:—
- Henry and Mary Green, and 3 boys and 2 girls.
- Andrew and Susan Hagan, and 1 boy and 2 girls.
- Andrew and Annie Swain, and 4 boys and 2 girls.
- Andrea and Frances Repetto, and 3 boys and 3 girls.
- Samuel and Lucy Swain, and 6 grown-up girls.
- Gaetano and Jane Laverello, and 4 boys.
- John and Jemima Glass, and 1 boy and 1 girl.
- Wm. and Jane Rogers, and 2 boys and 1 girl.
- Robt. and Louisa Green, and 3 boys and 2 girls.
- Samuel and Helena Swain, Junior, 2 boys and 2 girls.

Spinsters:—
- Miss Elizabeth Cotton.
- Miss Swain.

Widows:—
- Mrs. Mary Glass.
- Mrs. Sarah Rogers.
- Mrs. Lucy Green.
- Mrs. Elizabeth Hagan.
- Mrs. Martha Green.
- Mrs. Susan Swain.

Bachelors:—
- William Swain.
- Charlie Green.
- Alfred Green.

Tom Rogers.
William Green.
Benjamin Swain.

In addition, the Reverend Mr. Barrow (Church of England Missionary), with his wife and Miss Holden are residents on the island. Total, 81 souls.

On the 18th March I rejoined the "Greyhound" and sailed for Cape Town, carrying with me most pleasant recollections of my sojourn on the island and the hospitality and kindness shown to me by everyone there.

P. C. KEYTEL.

No. 22.

COLONIAL OFFICE to TREASURY.

[*Answered by No.* 23.]

SIR,

Downing Street, July 18, 1907.

WITH reference to your letter of the 5th of January last,* I am directed by the Earl of Elgin to transmit to you, to be laid before the Lords Commissioners of the Treasury, the accompanying copies of despatches† from the Governor of the Cape Colony forwarding reports on the recent visit of the relief ship "Greyhound" to Tristan da Cunha. A copy of a letter‡ from the Reverend J. G. Barrow is also enclosed.

2. It will be seen that the inhabitants of Tristan do not wish to leave the island, and, from what is said as to their resources, it seems to Lord Elgin that there is no adequate ground for bringing any further pressure to bear upon them to agree to their removal to the Cape. It further appears that there is some prospect of a regular trade between Cape Town and the island being started by a private firm. If this project is carried out, all need for the removal of the islanders would apparently disappear; and in any case it is clear that with the prospect of regular communication with the Cape before them, they will not consent to leave the island. His Lordship can only suggest that His Majesty's Government should await events and consider the matter further, if the proposed arrangement for establishing a regular trade falls through.

I am, &c.,
H. W. JUST.

No. 23.

TREASURY to COLONIAL OFFICE.

(Received July 27, 1907.)

SIR,

Treasury Chambers, July 26, 1907.

I AM directed by the Lords Commissioners of His Majesty's Treasury to acknowledge the receipt of Mr. Just's letter of the 18th instant,§ and its enclosures, relating to the recent visit of the relief ship "Greyhound" to Tristan da Cunha.

In reply, I am to say that my Lords concur in the view of the Earl of Elgin that there appears to be no adequate reason at the present moment for bringing pressure to bear upon the inhabitants to consent to removal to the Cape, and that His Majesty's Government can only await events for the present.

I am, &c.,
G. H. MURRAY.

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* Not printed. † Nos. 19 and 21. ‡ No. 20. § No. 22.

UGANDA.

CORRESPONDENCE

RELATING TO

FAMINE IN THE BUSOGA DISTRICT OF UGANDA.

Presented to both Houses of Parliament by Command of His Majesty.
November, 1908.

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1908.

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2	Ditto	Telegram, 43.	(Rec. May 8.)	Reports that the famine is very serious, and that 1,000 people have died by starvation; £1,000 has already been expended on food, and a like amount will be required for May and June; requests authority to meet expenditure by increasing proportionately the grant in aid.	4
3	To the Governor ...	Telegram	May 14	States that the Treasury have conditionally sanctioned an expenditure of not more than £3,000.	4
4	The Governor ...	Telegram, 46.	(Rec. May 23.)	States that the famine is almost universal in Usoga resulting in over 4,000 deaths already; over 40,000 must be fed daily on imported foods and at least £8,000 will have been spent by end of June; this amount cannot be provided out of savings, but may be recovered by an increase of taxes for two years; asks if the necessary funds will be provided.	4
5	To the Governor ...	Telegram	May 25	Acknowledges receipt of No. 4 with great regret; conveys authority to spend £8,000 and asks if help can be given from home.	4
6	The Governor ..	Telegram	(Rec. May 29.)	States that the situation can be dealt with for £8,000. and that sufficient supplies of rice are now available from Mombasa.	4
7	Ditto	—	September 19 (Rec. Oct. 17.)	Encloses a full report by Mr. George Wilson showing the measures which he adopted to cope with the famine; states that strenuous measures are being taken to guard against a recurrence of the famine; and draws attention to the prompt and energetic help rendered by the Missionaries of both denominations.	5
8	To the Governor ...	—	October 29	Requests that an expression of appreciation of their good work in the crisis may be conveyed to Mr. Wilson and Mr. Boyle and to the heads of the several missions who collaboroted with them; and expresses approval of the proposal to recoup the cost of relief by doubling the hut tax.	15

UGANDA.

CORRESPONDENCE

RELATING TO

FAMINE IN THE BUSOGA DISTRICT OF UGANDA.

No. 1.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 8 May, 1908.)

MY LORD, Government House, Uganda, 4 April, 1908.

I REGRET to have to report that, for some months past, a serious state of famine has prevailed in Busoga. A protracted drought killed almost all the ground provisions, and the bananaries have borne no fruit. Owing to their improvident nature, the natives possess no reserves of food, and their sufferings have been great. Thousands of people have been trying to keep body and soul together by eating the bulbs of swamp lilies, forest fruits, and the roots of banana trees. The Collector of the district estimates that over 400 have died from starvation, and reports that unless heavy rains soon occur, the mortality will be very high.

2. Relief works, in the shape of road construction, were started some weeks ago, but the chiefs have represented that if the able-bodied men be drawn away from their homes, the women, children, and old people will be unable to obtain even such food as has been referred to above, and that while the men are absent their families will starve. In many cases the people are too weak to work and are unable to move far from their villages.

3. In the face of this situation I have felt myself obliged to come to the aid of the distressed.

Matama flour, rice, and beans, to the value of about £600, have been imported from British East Africa, and are being distributed to those who are absolutely helpless. The Collector of the district estimates that another £400 worth will be required in a fortnight's time, but hopes that this aid may enable the people to tide over the time until the rains, which are now beginning to fall, will have ripened the crops.

Unfortunately, the natives, being accustomed to live almost entirely on bananas, find much difficulty in assimilating the imported food, and many succumb to stomach troubles. Small-pox also is prevalent among them.

4. There is little hope of recovering the cost of the food that is now being distributed to old people, women, or children, but care is being taken that all supplies given to persons who, in the near future, will be able and fit to work, shall be paid for in labour when the Government requires it of them.

5. The expenditure in this matter has been met from savings on the financial transactions of the year that has just expired, but any further outlay that may be necessary will have to be provided for in the revised Estimates for 1908-9. Your Lordship may be assured that no help will be given save where the people are in imminent danger of death from starvation.

I trust that my action in this matter will meet with your approval.

I have, &c.,
H. HESKETH BELL,
Governor

1750 G 966 Wt 20830 11/08 D & S 5 34133

No. 2.

The GOVERNOR to the SECRETARY OF STATE.

(Received 10.45 a.m., 8 May, 1908.)

Telegram.

No. 43. Referring to my despatch,* regret to report famine at Busoga very serious. Sub-Commissioner states that 3,000 persons have died by starvation. No amelioration of situation can be expected till July; already expended £1,000 for food; £1,000 required for current month and £1,000 for June. Authority is requested to meet expenditure, grant-in-aid to be increased accordingly.—Bell.

No. 3.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 5.25 p.m., 14 May, 1908.)

Telegram.

14 May, 1908. Referring to your telegram, No. 43,† Treasury sanction expenditurn not exceeding £3,000 on understanding that no effort will be spared to meet expenditure out of savings.—Crewe.

No. 4.

The GOVERNOR to the SECRETARY OF STATE.

(Received 3.19 p.m., 23 May, 1908.)

Telegram.

No. 46. Referring to my telegram 43,† famine almost universal Usoga; over 4,000 deaths up to date. Seventy per cent. of whole population reported starving; crops failed entirely; no local food available till end of June; people try to exist on wild roots; over 40,000 must be fed daily on imported foods. Wilson and several officers have been sent to organize distribution of food; missionaries helping. British East Africa cannot supply any more food; great difficulty in procuring sufficient rice; probable cost of food at the end of June at least £8,000; impossible to provide that out of savings. Usoga people too weak for work now, but I hope to recover expense by increase of taxes for two years following. Can I count on necessary funds?—Bell.

No. 5.

The SECRETARY OF STATE to the GOVERNOR.

(Sent 2.10 p.m., 25 May, 1908.)

Telegram.

25 May. I have received your telegram, No. 46, 23 May,‡ with great regret. You may spend £8,000 as suggested. Can anything be done from this end to assist you either by facilitating conveyance of rice or by opening relief fund?—Crewe.

No. 6.

The GOVERNOR to the SECRETARY OF STATE.

(Received 8 a.m., 29 May, 1908.)

Telegram.

Referring to your telegram of 25th May,§ believe I can deal with situation for £8,000. Thanks; sufficient supplies of rice now available Mombasa.—Bell.

---

* No. 1. † No. 2. ‡ No. 4. § No. 5.

No. 7.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received 17 October, 1908.)

MY LORD, Government House, Uganda, 19 September, 1908.

IN my despatch of 4th April last,* I reported to your Lordship that a severe state of famine existed in Busoga, and that Government aid to the extent of about £1,000 appeared to be necessary.

2. On the 7th May I was obliged to telegraph† stating that the famine had assumed very serious proportions, that over 3,000 persons had already died of starvation, and that an expenditure of at least £3,000 would be required to deal with the situation. On the 14th May,‡ your Lordship approved of expenditure to the extent indicated.

3. On the 23rd May§ I had to report by telegraph that over 40,000 persons had to be fed daily, and that relief measures up to the end of June would probably cost £8,000. To this outlay your Lordship was good enough to agree.‖

4. The situation was evidently so serious that I considered it advisable to entrust the whole administration of the relief measures to Mr. George Wilson, C.B., the Deputy Commissioner. He proceeded to Busoga on the 19th May, accompanied by such officers as could be spared to assist him.

5. I append a full report by Mr. Wilson, showing the measures which he adopted to cope with the famine generally. I feel sure that your Lordship will agree with me in considering that great credit is due to him for the vigorous and effective manner in which he dealt with a serious crisis. His great capacity for organization quickly came into play, and the dispositions which he made for the rapid relief of the starving people certainly resulted in saving many thousands of lives. It is estimated that over 10,000 perished, and it is believed that, in the absence of the prompt measures taken by the administration, the mortality would have been ten times greater. About 50,000 rations of food were issued daily at the various relief centres, and Mr. Wilson's report gives a graphic account of the great suffering that prevailed generally.

6. The accounts of expenditure in this connection have not yet been finally closed, but it is anticipated that the total cost will fall just within the amount authorized by your Lordship, namely, £8,000.

7. Mr. Boyle, the Sub-Commissioner of Busoga, recommends that this outlay should be repaid by the inhabitants of the province generally. He proposes that the present rate of hut-tax—3 rupees—should be raised during 1909-10 to 6 rupees, and he considers that the people will be able to meet this increased impost without much difficulty. Busoga is naturally a rich and fertile country, and I see no reason why the Sub-Commissioner's suggestion should not be adopted.

8. Strenuous measures are being taken to guard against a recurrence of famine in the districts that have been so sorely afflicted. Adequate reserves of grain and dried food are to be maintained by the natives in every village, and these co-operative granaries and stores are to be under the care and supervision of the county chiefs. An active crusade against the wild pigs will also be organized.

9. I am glad to be able to draw your Lordship's notice to the prompt and energetic help which the Administration received from the missionaries of both denominations in connection with the famine. The Church Missionary Society and the Mill Hill Fathers threw themselves zealously into the work, and I have duly expressed to them the Administration's appreciation of their help.

I have, &c.,
H. HESKETH BELL,
Governor.

Enclosure 1 in No. 7.

SIR, 16 September, 1908.

I HAVE the honour to submit a report on the famine in Usoga and the measures taken for its alleviation when Your Excellency despatched me to deal with the situation on the spot. Your Excellency will remember having reported the early state of affairs of the Usoga Famine in despatch of April 4th, consequently it is superfluous to refer to the earlier period.

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* No. 1. † No. 2. ‡ No. 3. § No. 4. ‖ No. 5.

2. I left headquarters at a few hours' notice on May 19th, and arrived on board the steamer at Munyonyo at 1.30 on the following morning. There I found Mr. Assistant Treasurer Moore awaiting me, and the rest of the night was spent in making preliminary arrangements. Bishop Hanlon was on board. He had learnt that I was on the way to Usoga, and, greatly to my satisfaction, had decided to proceed there too. There was also Mr. Gerber, detailed by the Church Missionary Society to assist me. We arrived at Jinja in the late afternoon and immediately began to gather up the threads of the situation. I learned that up that time 4,000 persons had died of hunger, and that the extent of the distress was only being fully grasped within a week of your instructing me to take up the matter. It was clear that it would be essential to view the situation and the dimensions of the needful relief measures in an altogether new and larger sense. Mr. Collector Cubitt, previously detailed for special duty, was arranging for 37 distributing "kitchens," which were beginning to appear and to give grateful relief to a certain number of the famished. Transport had for the time broken down, and food was waiting to be taken away. Altogether, as I have said, the position required grasping in a more powerful manner, so at my desire the officers and missionaries in Jinja assembled early on the following morning. At this meeting, at which there were about a dozen present, all directly interested in Usoga affairs, Bishop Hanlon expressed the thankfulness of all to Your Excellency for having sent your deputy to control affairs, "as the gravity of the crisis would now be more seriously understood," and he was sure that the simple fact of my coming would mean the saving of thousands of lives. Everyone it was said would rally round me to give all their time and energy to grapple with the terrible calamity. This they certainly began to do, and I did not spare them, as day and night they were employed either in gathering information, or in circulating instructions and seeing them carried out.

3. On the night of the 22nd, I had been so well helped that the general scheme of relief measures was framed, and I cannot do better in acquainting Your Excellency with its nature and with an idea of the state of affairs at the moment, than by giving here the contents of the circular distributed throughout Usoga that night. It ran as follows:—

> "His Excellency has considered the situation in Usoga to be of so grave a nature as to demand my presence here, and has charged me with the control of the measures for the alleviation of the terrible distress which the famine has caused throughout the country. The Governor fully appreciates the sympathetic aid which has been extended already to the efforts made by the Government, and is confident that they will be continued. But with a fuller knowledge of the situation the Governor is prepared to simplify the means of dealing with the crisis so far as those means can be made available. It is clear to me that from the information which has been so readily afforded me that all energy must be concentrated for at least two or three weeks upon the one subject of getting food to the famished, and in so organising an exact distribution as to secure such food as can be obtained reaching the greatest number of the truly needy. This will include a wide scattering of distributing depôts, perhaps beyond any dimensions hitherto considered practicable.
>
> "I therefore propose that the following scheme should be adopted:—
>
> "Jinja to be forwarding depôt.
>
> "Iganga to be the principal distributing depôt for all district distributing depôts except that of Kamuli, near the Nile.
>
> "The district distributing depôts will be:—
>
> "Iganga, Kumbia, Nanyumba, Tabingwa's, Kilele, Kamuli.
>
> "The latter depôt (Kamuli) will receive its supplies from Jinja. Each of the district distributing depôts will be in charge of Europeans, who will in council arrange all details. I do not propose to arrange these details myself, preferring to trust to the local knowledge and devotion of those who are loyally helping me to the interest of these famine-stricken people. But as a general principle, I wish each district to be divided into seven sub-districts, each of those to be sub-divided into ten sections.
>
> "In each district capable chiefs should be selected for their control, and as it is impossible to expect that capable men of authority can be provided

for the sections which will number in all 420, I venture to call upon the missions to assist the incompetent with teachers, or more or less educated youths from their schools.

"Each small section will be supplied with an accurate twelve-ounce grain measure. The importance of exact measurement can be illustrated by the fact that should an excess of only two ounces be given in each of the fifty thousand rations which we propose to issue daily, it will make a deficit of over 8,000 rations per day. The rations for children can be measured by halving that for adults. No other practical means occur to me at present. Supplies will be sent from the main depôts addressed to the Famine Relief Officer in the district. I propose to despatch them to the Mbuga of the principal chief of each district, relying upon the gentlemen in charge to arrange among themselves for their proper receipt and distribution. I would ask, as a matter of vital moment, that where more than one person is in charge in any district the others will devote themselves exclusively to inspection of the sub-districts and sectional distributions. The fact that a white man is superintending the issues will do much to secure proper issuing.

"A great difficulty will occur in deciding upon who should be considered legitimate claimants for the food. After consulting both medical officers and those intimately acquainted with the people, I gather that appearance cannot in this country be taken as a criterion of the condition of the native. Many instances have occurred where apparently hale persons have suddenly fallen dead from hunger. Consequently native chiefs and headmen must be depended upon for evidence in this matter.

"Another difficulty lies in the danger of the truly needy not being fed because of these being unable to present themselves at issuing stations. This must also be dealt with on the spot.

"It is now manifest to me that with the best possible intentions we can only relieve a portion of the people. It is therefore expedient that in every case where it is practicable rations should be given to individuals on alternate days only. The roots, weeds, and such substitutes hitherto availed of may be sufficient with our strengthening of food to sustain them in the interval. I will welcome early report of this measure.

"If I am able to secure cartage, food will be sent to stations accessible by carts in the large bags of 180 lbs.; in case I cannot do so, I wish to be informed whether loads of such large size are transportable by the people of the districts concerned. If the food has to be divided up into smaller loads, say, 50 lbs., it will entail a large amount of trouble and perhaps some cost, and I will have to ask that, as far as possible, material be sent with the porters to the district distributing depôts for packing these loads, even if it be bark cloth or other native wrapping (Biyai, &c.).

It has been impressed upon me that the depredations upon crops by pigs have reached a plague extent, and that the need of extermination of pigs is fully as important a measure for the future as the other relief measures are for the present. Consequently I have detailed two officers to organise *battues* throughout the country. Twenty expert hunters have been engaged for the ten counties to assist in this work, which is to be begun at once and will be inspected by the officers. It is desired that the urgency of this measure should be fully pressed upon the chiefs, and I will expect to receive from each county chief an adequate number of details as evidence of his sincerity in carrying out his share in the duty. Negligence will bring the censure of the Governor upon the culpable Saza.

"It is superfluous to emphasize the disastrous effects already made upon the people by their eating the grain issued in its raw state. The temptation in their famished condition is almost irresistible, but every chief, every headman, and every teacher should be most seriously urged to combat this deadly habit.

"There is a tendency among the famished to eat up young crops before they can possibly be of any material use. The prevention of this may be difficult if not impossible, but large results can be expected from the educational efforts if the numerous sectional stations are earnestly utilized for this purpose. Moreover, the natives might be threatened with being concentrated in camps for their better control should they prove obstreperous in this or other such measures.

"I have thought of evolving a scheme for the protection of cultivation, but I am convinced that it will be a sad pity should we yet have to divert our energy from the main work of taking food to the people. It is therefore required in this also that local pressure should be put upon the natives under the guidance of those in charge of the district for the prevention of disaster from the eating of immature food. An early report upon the matter will be welcome.

"It has been proposed that the more able-bodied should be impressed for public relief work, but in consideration of the main object of relieving the present distress, I am deferring this subject hoping that every native capable of so doing shall be engaged in the work of cultivation during the rains.

"Finally, it is the universal opinion that it will be politic to call upon the Busoga later on to reimburse the cost of this famine relief, and it is so obviously inspired by common sense that it may be taken as granted that His Excellency will give it his full consideration. Therefore it is essential in the interests of the people that while we are making arrangements of the most extensive and far-reaching character, we have to bear in mind the wisdom of scrupulously exercising the strictest economy.

"George Wilson,
"Deputy Commissioner.

"Distribution for the present (to be revised upon further information):—

	Daily.	
"Iganga	2½ tons:	31 bags.
"Kilele	2½ ,,	31 ,,
"Kumbia	2½ ,,	31 ,,
"Nanyumba's	2½ ,,	31 ,,
"Tabingwa's	2½ ,,	31 ,,
"Kamuli	2½ ,,	31 ,,
	15 ,,	186 ,,

"Each bag (roughly estimated) contains 240 rations; 2½ tons contain 7,450 rations.

"These calculations are based upon the scale for adults; inclusive of that of children it will be much increased.

ADDENDA.

"The policy of distributing food on payment to those who are able to pay for it has its attractions, but it has also many complications, perhaps more particularly in the fact that the many who do not pay will be the loudest in crying out that food was paid for. This needs no simplification to those conversant with the conduct of native affairs as are those gentlemen who are helping us. In any case, the Government will advance several thousands of pounds in this work, and it is not worth while embarrassing the scheme at the present by the few rupees which would accrue from local payments.

"It has been most wisely suggested that as far as possible issues should be made with a view to changes of diet. This work will be begun by the distributing officer at the principal distributing depôt, who will, as far as he can, arrange his issues to the districts on that principle.

"George Wilson."

4. This scheme was so welcomed that I was at once confident of the loyal working with which it has since been carried out.

5. From all the information I could gather it appeared that from 50 to 75 per cent. of the population of about 300,000 were in imminent danger of starvation, so I had to strain every nerve to get instant command of large supplies of food,

and means for its conveyance. Your Excellency soon provided me with the former, and as for transport, I commandeered all available carts and waggons to despatch the food as it arrived to Iganga. Iganga at once proved its eligibility as headquarters and principal depôt. But the recent bad weather had so destroyed the road from Jinja that days were taken by the waggons to travel the 23 miles to Iganga, so I asked for the food to be conveyed from Kisumu in lighters to Kitotos, the nearest point on the lake shore to Iganga, thus reducing the transport difficulty from a 23-mile journey on a bad road to nine miles on a passable one. Two dhows, luckily available, were then chartered to bring such remaining food as could be spared from Jinja to Kitotos by water. A scheme of transport was completed which Mr. Boyle reported later worked all through the famine period without a hitch. It was much of an undertaking to make Kitotos suitable for a temporary port for rapid landing of hundreds of tons of cargo, but we hauled the lighters well into the papyrus, where the grain was unshipped into some half-a-dozen "dug-out" canoes and then taken by the natives along a roughly-constructed causeway to dry land. The men were weak and emaciated, but struggled manfully, and to my surprise managed to deal with a hundred tons, in heavy bags, in a day and a half. It was tedious work. It will give some idea of the character of these famished people and their endurance if I mention that after this heavy work, 188 men carried heavy loads of food to Iganga, and although some were so weak that they were 33 hours on only nine miles of road, not a particle of the food was filched. Of course I had given them a meal on starting.

6. After the notification of the scheme of organization I had moved to Iganga. It was here for the first time that I actually witnessed the terrible effect of the famine, and realised the magnitude of the work to be undertaken. It is true that at Jinja the moving of each bag of grain was followed by natives, who would fight for every particle, and even lap up the seed with the tongue from among the mud and dust. Yet, strangely, they did not show the usual physical signs of suffering from the famine, and it was difficult to understand the assertions made that men who seemed of fine physical proportions, would suddenly drop dead on putting forth the slightest effort, so weakened had they become by hunger. But on the way to Iganga one came across old men and women, and children, poor creatures of nothing but skin and bone. So pitiable were they that it was hard to remember that we must rush on to provide relief for hundreds of thousands out of sight, and not give way to the temptation of the moment to deal with visible individual sufferings. We came across bodies of those who had died on the wayside—on occasions within a few hundreds of yards of relief. I learnt that on one day there had been quite a simple change of position of a depôt and that deaths actually occurred when walking the half-mile from the old position to the new one. One morning on going to the telephone office to speak to you I found three bodies on the road almost within the station itself. This description is only an example given by one district of the terrible sufferings being endured throughout nearly the whole of Busoga. But here there was also evidence of a wonderful relief work rapidly organized by the Church Missionary Society and the Mill Hill Mission, as part of our general scheme. Each morning could be seen thousands of poor wretches crawling to each of these stations, and before I left I was informed that 3,000 were fed daily by each of the stations with food supplied by the Government.

7. By degrees the other chief distributing stations were organized in like manner, and on the 29th May, when Sub-Commissioner Boyle arrived, I was able to hand over the work with arrangements well forward for distributing food from about 400 stations, big and little, and food had reached the whole of the famine-stricken districts.

8. Unfortunately the plans for hunting pigs were frustrated by long grass and the weak condition of the people, so I recalled the hunting parties. Mr. Boyle says that the work must yet be carried out as soon as the grass is shorter, as woeful damage is still being done by these pests.

9. With Mr. Boyle present to carry on the arrangements there was no further need for my remaining, so, with Your Excellency's concurrence, I left Iganga on May 30th, and arrived by road at Entebbe on June 2nd.

10. By this time the staff, official and mission, which was employed on famine duty, was constituted as follows:—

Officials, under Mr. Sub-Commissioner Boyle (who also now controlled the whole scheme):—

Mr. Collector Cubitt.
Mr. Assistant Collector Jervoise.
Mr. Assistant Collector Hannington.
Mr. Assistant Collector Jackson.
Doctor Marshall.
Mr. Assistant Treasurer Moore.
Mr. Beddington (Public Works Department).
Mr. Duffy (Cotton Department).

Church Missionary Society, under the Venerable Archdeacon Buckley:—

Reverend S. R. Skeens.
Mrs. Skeens.
Miss A. J. Welch.
Miss Brown.
Mr. H. Mathers.
Reverend A. Wilson.
Mr. M. Gerber.
Reverend H. T. C. Weatherhead.
Reverend W. B. Gill.
Mr. W. G. S. Innes.
Mr. Britton.

Mill Hill Mission, under the Right Reverend Bishop Hanlon:—

Reverend Father Drontmann.
Reverend Father Nyssen.
Reverend Father Condon.
Reverend Father Keller.
Reverend Father Minderop.
Professor and Reverend Father Schumaker.

11. The latest reports from Mr. Boyle state that the scheme has been adhered to as originally framed. By degrees the ration issues were reduced, given on alternate days, and then, as the physique of the men improved, only given for labour. They were issued with greater freedom from restriction to women and children, so as to permit of cultivation of the home foodstuffs. The back of the famine was broken in mid-June, and its severe phase practically overcome by the end of July. About 100 miles of roads in useful directions have been cleared, under supervision, sufficiently for dry-weather use for carts, and numerous by-roads have been re-opened. In the earlier periods care was taken to keep the men near to their homes so as to be of help to their families in the heavier work of planting. Every discouragement was placed in the way of begging, once the severe crisis was over. In fact, Your Excellency, during your recent tour, will have witnessed the thorough manner in which Mr. Boyle and his staff executed the heavy work which I had laid out for them, and so saving a people from wholesale annihilation. As it was, 10,000 lives, men, women and children, have been lost, including perhaps 3,000 able-bodied men. But Mr. Boyle reports, and the statement is borne out by the missions, that had not the food reached the masses when it did, whole districts would have been completely wiped out.

12. In all over 800 tons of food have been delivered in Busoga, of which approximately 600 tons have been issued as rations and as wages for labour on relief works, and 200 tons are being sold. In obtaining such a great quantity, we had great assistance from the East Africa Government, chiefly from its Kisumu Province. In all such crises steps have to be taken with a rapidity that cannot but affect market rates, and chances have to be taken at a moment's notice of big business transactions which may or may not turn out to have been the best possible. In our instance we have had to suffer, on the one hand from hurried buying, fortunately inextensive, and on the other, from too ostentatious a disclosure of our large wants required by the tender regulations. Provincial Commissioner Ainsworth, at Kisumu, states that this alone ran up the prices by more than 25 per cent,—and those at Nairobi were certainly likewise affected. Unluckily at the same time a great scarcity was dreaded in East Africa, a fact which handicapped us badly. We incurred some loss from a purchase of a large consignment of rice, although the

action was carefully thought out and based upon official reports that all local supplies had ceased, and that neither here nor in East Africa could local produce be again expected for several weeks. As Your Excellency is aware, people were dying by many hundreds a day and the chance was taken. But much sooner than was expected a new source of supply was discovered, unexpected climatic conditions having produced early crops, and we then substituted the cheap local grains for the higher-priced rice, which we are now selling to the credit of the account.

13. The Treasury is not yet in a position to submit final figures, as the distributions and sales of grain are not yet completed, but after close consultation with Mr. Boyle, I do not think the nett cost of the famine should be much on either side of the £8,000 estimated. For this expenditure, as Your Excellency has learned from all quarters, we have to credit the Government with the saving of a very large proportion of a most unfortunate country of over 300,000 souls from extermination.

14. I now venture to offer some observations, the fruit of my experience in Busoga.

15. That country was at no distant time well populated, and notwithstanding counter statements, well within the control of chiefs, but sleeping sickness in particular, and a peculiar breaking up of a certain indefinable cohesion in family life, together with spread of disease, has created the impression that it is lying under a curse. The people themselves felt it to be so, and one sees among them the apathy of despair. I remember in the year 1891 having charge of a thousand or so of them in a small-pox quarantine camp in Mombasa, and though they were not of the nimble intelligence of the Baganda, they were bright and cheery and amenable.

16. Busoga, or Usoga as we knew it then, was the garden of the Protectorate, and the people were industrious, if stupid. Every house or community had its granary, and in their barbarous way they had, altogether, some provident habits. Now granaries are almost unknown, and the people seem to have lost their sense of life, that on the first symptom of distress in this famine time they utterly "threw up the sponge." When I reached Busoga they were the despair of the officers and missionaries, and force had to be used to prevent them lying down to die, rather than travel to the big stations for food. Hence the great cause of the elaboration of my scheme was to get the food to the people—instead of the people to the food. It was only when they realised, by our hard pounding at them, that whatever afflictions either Providence or themselves had brought upon them the Government was going to save them in spite of themselves, that they awoke to some reasoning interest in life.

17. It may therefore be that, as in the case of the King Mwanga and mutiny troubles in 1898, a serious crisis, well made use of, may bring a brighter era to them. I think we can agree with Mr. Sub-Commissioner Boyle in considering that a closer mutual touch has been attained by the present trouble between the official and native elements.

18. But notwithstanding this optimistic presumption, I strongly deprecate the natives being permitted to believe that their improvident tendencies can be indulged with impunity. Of all things now to be considered, that of the manner of refunding the cost of the famine to the Government is of the most vital importance. I have already discussed this matter with Your Excellency, and will therefore consent myself with this reference to the main principle concerned. The country is at least one of the most fertile in the Protectorate, and it would be no hardship on a people so situated that a Famine Tax should be imposed upon them within the next few months.

19. As to prevention of famine, I do not think it necessary to do more than, after removing the pig pest, revive the national custom of granaries. Famines are extremely rare in these lands—I mean real famines—and in most cases quite avoidable, and so I think it would be impolitic to get agitated and adopt heroic measures because of this one. Good roads and good transport and timely notice of threatening trouble would be quite sufficient to allow us to get at the people with relief should it ever be required again—an unlikely contingency for years.

20. I was very angry with the chieftainship class at first, but they gradually showed glimpses of intelligence and became active, and as the work proceeded won my better appreciation and sound commendation from Mr. Boyle. I believe the present Usoga policy will soon bring about a decent set of chiefs.

21. There is one more item in this connection I would like to touch, and that is the need for a better regulated labour control by the chiefs. If it were so managed that a proportion of labour should be always left upon plantations, the chiefs using their native authority to have these plantations well kept up, our present difficulties would be disposed of. This has been difficult in so benighted a country, where the chiefs have too early attempted to ape the customs of the more civilized Baganda, but they are coming on, and have now learnt a heavy lesson to move more carefully. I have already on another occasion expressed to Your Excellency how high a tribute of appreciation is due to all who were connected with the relief measures. To Bishop Hanlon and Archdeacon Buckley, who placed all their resources at my disposal, I feel an obligation which, under the terrible strain of the time and amid the pitiable scenes we witnessed, developed into a high and lasting personal regard. Their staffs also were to a man loyally and whole-heartedly devoted to the work, and by your direction warm expressions of thanks have been conveyed to them all. A special word should be said for the ladies of the Church Missionary Society, who, helped by Miss Boyle, at the time on a visit to her brother, the Sub-Commissioner, displayed astonishing powers of endurance in their devotion to this work of relieving distress.

22. As to my own official staff, I have the same to record, and it requires no commendation from me to give Your Excellency assurance of Mr. Boyle's capable assumption of the control of the situation.

23. It may not be without interest to look at brief press utterances made by representatives of the two mission societies directly concerned in this crisis. These are attached.

24. I venture to thank Your Excellency for the very full charge of affairs with which you entrusted me, and which allowed me to proceed with a confidence that won for my orders an instant response from my loyal colleagues which as rapidly weakened and broke up the destroying power of the famine.

I have, &c.,
GEORGE WILSON,
Deputy Commissioner.

UGANDA NOTES, May, 1908.

FAMINE IN BUSOGA.

For some time past, owing to a prolonged season of drought, food has been very scarce in Usoga, and had not the Administration taken very prompt and adequate means to relieve the distress there would have been considerable suffering and many fatalities.

A special steamer was chartered by the Administration and a cargo of food sent to be distributed from several centres, so that those who are in need will not be under the necessity of going a long journey to obtain relief.

The Ven. Archdeacon Buckley, writing from Jinja, says, "The members of the Administration, His Excellency the Governor, Mr. George Wilson and Mr. Grant, have been most kind and active in their efforts to stave off what I may call a calamity."

The Rev. H. Mathers, of Kaliro, North Usoga, in writing to acknowledge a grant of Rs.100 for the relief of the famine in his district, says: "The famine is dreadful. In Tabingwa's country there have been seventy-five deaths in the first half of March. I am sending away to the heart of Bukedi to buy food."

The Rev. S. R. Skeens has also been distributing relief, having received a grant from C.M.S. for the purpose. He writes:

"We are very busy giving away food to the starving people. They are poor emaciated people, and the food sent by Government is only just in time to save dozens from dying of starvation. We have a service in the church for them, and they listen just as hungrily as they look!

"We are giving relief out to one hundred and fifty people daily, not a day before they needed it. They are so thin and skeleton-like. The Government have sent food also to the Roman Catholics here: and I believe they intend to send relief to Kamuli and Kaliro."

The "Official Gazette" has the following on the famine in Busoga:—

The Governor has found it necessary to come to the help of the natives who are suffering from a great scarcity of food. A long-continued drought has killed almost all the ground provisions and the banana plantations have borne no fruit. In fact, thousands of people have been trying to keep body and soul together by eating the bulbs of swamp lilies, forest fruits, and the roots of banana trees. The Collector of the District has estimated that over 400 have already died from starvation.

Relief works were started some weeks ago, in the shape of road construction, but as some people were too feeble to work, and as the absence of the men was likely to leave the rest of the family in an unprovided condition, His Excellency has caused a supply of rice, matama flour, and beans, to the value of £600, to be distributed to the people. It is hoped that this will enable the natives to hold out until the new crops are available. Rains have fallen lately and the outlook is more hopeful.

UGANDA NOTES, June, 1908.

THE FAMINE IN BUSOGA.

OVER SIX THOUSAND DEATHS.

The famine has, as we feared, been very widespread, and in spite of the rains—which, so long delayed, have come apparently too late—tidings continue to come from all parts of Busoga of the terrible sufferings endured by the inhabitants. The mortality has been terrific during the past month, and the figures according to the official estimate have already exceeded six thousand. What amount of suffering this means is beyond imagination to describe. It would appear that the present distress bids fair to equal the famine experienced in Busoga some ten years ago, when it was computed that forty thousand natives lost their lives. However, in the present distress a paternal and watchful Government has come forward with help, and relief works are in progress, food is being distributed as quickly as possible, and these efforts are being supplemented by the small band of missionaries, Protestant and Roman Catholic, scattered among the centres of population. Whilst the outlook, we are told, is hopeful for the next crops, it is for the present needs that help is demanded.

His Excellency the Governor has again come to the aid of sufferers, and sent off last month from various places from whence they could be spared officials specially detailed for relief operations on the spot. The Deputy Commissioner, Mr. George Wilson, C.B., himself went by the boat from Munyonyo on May 20th. His Excellency the Governor having appealed to the Missions to co-operate in this special effort if possible by temporarily transferring any available members of the Missions' staff to Busoga from their ordinary work, the C.M.S. responded by allocating at once three missionaries. Bishop Hanlon, of the Mill Hill R.C. Mission, also joined himself to the relief party. The C.M.S. detailed Mr. M. Gerber, of Mityana, who had just recovered from Tick Fever after three months' treatment in Namirembe ; the Rev. W. B. Gill, who was able to disband his school a little before breaking up time and so free himself for the special service ; the Rev. H. T. C. Weatherhead, of the Budo School, also volunteered for the work, and was joined by the Rev. J. Britton, who was temporarily withdrawn from Ndeje for the purpose.

We learn from the " Uganda Official Gazette " that a sum of £1000 has been spent in relief, and that £1000 per month will be needed whilst the famine lasts. The new crops it is believed will not be ready till July.

UGANDA NOTES, July, 1908.

THE FAMINE IN BUSOGA.

We have to report still a serious condition with regard to the suffering in Busoga occasioned by the famine.

The Rev. W. B. Gill, one of the missionaries specially detailed for relief work, writes in praise of the excellent arrangements made by the Deputy Commissioner, the whole area of distress having been skilfully divided into sections and sub-sections with a European in charge of each section and native chiefs and teachers having been called upon to help in the general work of distribution of food. He says ; " Many people are too weak to fetch food, and some die on the roads. The children are awful sights, not like skeletons, but actual skeletons, in skins . . . . What with sleeping sickness, famine and a plague of wild pigs, which latter are destroying the young crops, the poor Basoga are suffering badly. The tide however is well on the turn now, the rains are very heavy, the people are being fed, and pig destruction has been taken in hand seriously. Things are certainly looking brighter, but the chiefs tell me that the crisis will not be over before August, when they hope to see their gardens flourish ägain and the people strong to labour."

From the neighbouring county of Kyangwe, the Rev. G. K. Baskerville has been able to send a few native teachers to engage in the work of food distribution by arrangement with Archdeacon Buckley; whilst the Sekibobo and his " Lukiko " have induced 7 men including some minor chiefs to go and assist. The Banyoro have most generously assisted their Basoga brethren in distress by forwarding through the Rev. A. B. Fisher, of Hoima, a sum of fifty rupees, collected for the purpose of providing some food for the starving. The sum was telegraphed from Hoima to Archdeacon Buckley direct.

We learn from the *Official Gazette* that no less than four hundred distributing centres had been established in Busoga, and it was believed that all those who were most urgently in need of food had been assisted. There were some eight Government officers engaged in the work, together with the missionaries on the spot and those drawn for special service from other parts of the Mission. It is estimated that over 400 tons of food will have been distributed under the scheme by the close of the present month, and that the total expense falling upon the Government on account of this famine will amount to not less than £8,000.

The Rev. W. B. Gill writes to us again as follows, dated Kilere, June 14th : Operations are now in charge of the Sub-Commissioner, Mr. A. G. Boyle, C.M.G., who is vigorously following out the well-laid plans of the Deputy Commissioner. He has further instructed us that in order to prevent the people developing into professional beggars, work in a small way should be given to them, with the result the roads are being put into repair, spaces are being cleared, and nsambya trees are being planted along the main roads ; of course we are very careful not to let this interfere with the cultivation of their gardens, this latter receiving special attention.

I spent the last week itinerating in the saza Busiki which stretches from here north to the Mpologoma River, a distance of about 20 miles. Famine has not been so bad in this district as it has been from here south to Inganga. This might be accounted for by the fact that they can get food from Bukedi and also that the population has been lessened by probably a thousand who have gone to live in Bukedi until times are better here. The plantain gardens are looking very promising, and in about six weeks food ought to be plentiful. This only applies to this district ; I have heard nothing about the others. Notwithstanding, the death roll here has been very heavy, quite 2000 deaths are reported and the speedy relief sent has saved many thousands.

UGANDA NOTES, August, 1908.

THE FAMINE IN BUSOGA.

During last month the number of C.M.S. missionaries working in Busoga was diminished very largely, by the return to their proper stations of several, and by some of the Busoga missionaries visiting Namirembe. Mr. W. G. S. Innes and the Rev. J. Britton, who were lent to the special famine relief work, remained on in Busoga during the greater part of July, as also the Rev. and Mrs. S. R. Skeens, who held the fort at their station of Iganga. The Ven. Archdeacon Buckley came up to the capital on a flying visit for Committee, and returned within a few days to the supervision of the work in Busoga.

Mr. Innes, writing from his distributing centre in Busoga, early in July says: I am afraid the returns we heard about referring to deaths were sadly below the actual numbers. . . . . The steady rise in deaths in this district is shown by the following figures :—February, 35 ; March, 42 ; April, 134 ; May, 165 ; June, 531. The Government has expended £6,000 over the original grant of £8,000. Personally, I wonder it has not been more. I hear the price of food in East Africa has been so very high . . . . When I arrived at Iganga I found them all very busy, Mrs. Skeens and Miss Brown in the dispensary with a few bad cases in their little hospital of about eight or ten beds. Miss Welsh was busy with a crowd sitting outside the church waiting for the short address after which food was given out. An Indian clerk was told off to send out all kinds of dry food, rice, millet, bulo, bubere, beans and peas (the small native kind). These were sent from the central Relief Office, at Iganga, to all the deputy distributing depôts. All these D.D.Ds. sent in to Iganga batches of men to bring out the food. Before, however, they were allowed to return to their respective stations, they had to go down to Katoto's to bring up the food to the Central Office. Once the food reached the D. D. Ds. it was posted off to sub-sections. I must say that the whole thing was thoroughly well organised, and all honour is due to those who made the plans.

I arranged with the Sub-Commissioner to start a kitchen at the place I was going to, Kireri. He very kindly gave me five cooking pots. I have now finished my kitchen and two circular huts, each capable of holding ten or twelve persons. I had been having food cooked for them twice a day. Those who are able to work come in from work at 4 p.m. for their rations. Before giving out the food I held a ten-minutes' Gospel address. The chief of the place is a Mohammedan, named Mudu. He sits with his followers some distance away. . . . . I have heard it said that, owing to the hunger which seized the people, there was little or no use in preaching to them. That has not been my experience ; as I look around I always find a great many of the people are most attentive.

I left 49 people being fed by the kitchen at Kireri, and then moved on to start a kitchen and to distribute cooked food here at Busesa, Menya's embuga. I have only finished one circular hut to-day, as the men were so late in turning up to work. While I write by lamplight in my tent, I hear the shouts of men and boys, now and then accompanied by a drum, to keep off the pigs. I am trying to persuade the people to hedge in their "misiri" with thorns, leaving a gap with a large covered hole for the pigs to fall into, or else to put a trench about 2½ feet broad and deep, and to bank the sides up. Pigs would not attempt to jump this.

One feels glad to be able to help in any small way. But one's only thought is if these people would learn a lesson from this famine, and hunger and thirst after spiritual things.

THE EAST AFRICAN STANDARD, August 22nd, 1908.

THE FAMINE IN UGANDA.

TERRIBLE SUFFERINGS.

HERDS OF FIERCE PIGS.

A letter from Bishop Hanlon, of Uganda, to the Manchester Guardian dated Tganga, Busoga, 25th May, 1908, gives the following graphic details of the terrible famine still raging in the district from which he writes :—

"I came here a few days ago as the famine is now very severe ; 3,000 deaths from starvation are known during the past two months. Good rains have fallen pretty regularly for the last five weeks, and young crops are coming up, but there is no food yet. The next three weeks will be terribly severe on some 300,000 people. The number coming in for a daily distribution of grain are mere skeletons. It is a sad sight indeed. I have done what I could during the past two months, and trust my appeal has been liberally responded to. The Government during the same period has spent £1,000, but now are making a more serious effort. They will spend some £8,000 or £10,000 on importing fifteen tons of food daily for distribution. It will be a feat of transport, considering our means available, to have this carried and given out to the starving people every day. But with the anxiety and rightgood will to help these famishing people on the part of the officials and all the missionaries it may be, and I believe will be, accomplished. Fortunately there are fairly good roads for bullock carts to some of the principal distributing centres. Native chiefs from 400 districts will send to these centres as many young men as are still able to carry a load of 40lb. These porters will be fed, and will carry back in continuous bands food to their own famished districts. The officials, missioners, and native chiefs will see the food distributed. The immature crops must be protected during the next three weeks, so that the famished may then have at least some food of their own plantations. In the greatest of all human needs it is hard to control the hungry from eating the immature food. Meanwhile another party has been told off to exterminate great herds of wild pigs, which will also devour the growing food. The people have been too much afraid of these fierce swine to hunt them down, so all willing hands will have enough to do here for the next month to try and save the Busoga people. The Deputy Commissioner of Uganda is here with an additional staff."

No. 8.

The SECRETARY OF STATE to the GOVERNOR.

Sir, Downing Street, 29 October, 1908.

I have the honour to acknowledge the receipt of your despatch of the 19th September,* reporting the steps taken for the relief of the sufferers from the famine in Busoga.

I recognise that this emergency has been met in a vigorous and effective manner, and I shall be glad if an expression of my appreciation of their good work in the crisis may be conveyed to Mr. Wilson and Mr. Boyle, and to the heads of the several missions which collaborated with them.

I approve of your proposal to recoup the cost of relief by doubling the hut-tax in Busoga next year, if the condition of the people should then appear to justify this step.

I have, &c.,
CREWE.

---

* No. 7.

UGANDA RAILWAY.

RETURN

SHOWING

I. THE CAPITAL EXPENDITURE ON THE UGANDA RAILWAY.

II. THE CHARGE INVOLVED UPON THE EXCHEQUER BY THE CAPITAL EXPENDITURE.

III. THE GROSS AND NET EARNINGS OF THE LINE FOR EACH YEAR SINCE IT WAS OPENED.

Presented to both Houses of Parliament by Command of His Majesty.

October, 1908.

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1908.

[Cd. 4354.] *Price ½d.*

UGANDA RAILWAY.

RETURN

SHOWING

I.—THE CAPITAL EXPENDITURE ON THE UGANDA RAILWAY.

II.—THE CHARGE INVOLVED UPON THE EXCHEQUER BY THE CAPITAL EXPENDITURE.

III.—THE GROSS AND NET EARNINGS OF THE LINE FOR EACH YEAR SINCE IT WAS OPENED.

I.

ACCOUNT of the CAPITAL EXPENDITURE on the UGANDA RAILWAY to 31st MARCH, 1908.

Heads of Account.	Expenditure to 31st March, 1907. (a.)			Expenditure during 1907–08.			Expenditure to 31st March, 1908.		
	£	s.	d.	£	s.	d.	£	s.	d.
Administration and General Charges	424,065	17	7	...			424,065	17	7
Surveys	80,469	12	1	...			80,469	12	1
Land	22,173	10	9	...			22,173	10	9
Formation	1,244,540	7	8	8,798	3	1	1,253,338	10	9
Bridge work	762,924	7	3	2,344	16	6	765,269	3	9
Fencing, &c.	15,879	3	2	524	12	5	16,403	15	7
Telegraph	59,513	1	1	...			59,513	1	1
Ballast and Permanent Way	1,507,891	15	5	8,125	10	0	1,516,017	5	5
Stations and Buildings	583,653	7	10	5,516	12	3	589,170	0	1
Equipment	498,173	16	4	...			498,173	16	4
Plant	99,544	3	11	Cr. 243	4	3	99,300	19	8
Ferries and Jetties	32,013	18	6	8,168	7	0	40,182	5	6
Loss and depreciation	4,758	14	9	...			4,758	14	9
Total cost	5,335,601	16	4	33,234	17	0	5,368,836	13	4

(a) See Report by the Auditor and Comptroller-General presented to Parliament on 2nd March, 1908. A difference of £3 7*s.* 8*d.* exists between the two accounts.

SUSPENSE.

	£	s.	d.	£	s.	d.	£	s.	d.
I. Amounts recoverable on account of—									
(a) *S.S.* "Nyanza" local erection charges	1,051	9	8						
(b) Kilindini Pier	2,114	9	2						
(c) Sundry debtors	2,703	14	2						
				5,869	13	0			
II. Sundry amounts recoverable on account of East Africa Protectorate and others.	...			0	4	3			
III. Balance at debit of Railway Workshop account.	...			8,169	11	3			
Total amounts recoverable ...				14,039	8	6			
LESS.									
IV. Amounts repayable on account of deposits—									
(a) Securities of Contractors	683	8	0						
(b) Miscellaneous	729	3	2						
Total amounts repayable				1,412	11	2			
Total suspense							12,626	17	4
Balance at debit of stores on 31st March							65,298	3	3
Cash balance on 31st March							9,998	19	10
Total Drawings against Capital Grant							5,456,760	13	9

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II.

Statement of the Charge Involved upon the Exchequer by the Capital Expenditure upon the Uganda Railway.

Money borrowed.		Securities created.
1896.	£	
September	147,000	Annuity of £7,462 15*s.* First payment 15th November, 1897. Last „ 15th „ 1925.
1899.		
January	1,549,000	Annuity of £128,322 10*s.* First payment 15th November, 1900. Last „ 15th „ 1925.
March	270,000	
June	290,000	
September	210,000	
1900.		
January	320,000	Annuity of £79,263 10*s.* First payment 15th November, 1901. Last „ 15th „ 1925.
March	214,000	
July	255,000	
September	300,000	
October	120,000	
November	150,000	
December	5,000	
1901.		
January	100,000	Annuity of £46,044 4*s.* First payment 15th November, 1902. Last „ 15th „ 1925.
February	50,000	
March	80,000	
May	100,000	
July	280,000	
October	160,000	
1902.		
January	170,000	Annuity of £20,499 4*s.* First payment 15th November, 1903. Last „ 15th „ 1925.
April	160,000	
1903.		
January	260,000	Annuity of £23,524 6*s.* First payment 15th November, 1904. Last „ 15th „ 1925.
March	54,000	
June	28,000	
October	25,000	
1904.		
March	14,000	Annuity of £924 17*s.* 6*d.* First payment 15th November, 1905. Last „ 15th „ 1925.
1905.		
May	191,592	Annuity of £13,070 3*s.* First payment 15th November, 1906. Last „ 15th „ 1925.
Total ...	5,502,592	

NOTE.—A sum of £319,112 is provided annually upon the Vote for Colonial Services to meet the charges detailed in the above table.

III.

Statement of the Gross and Net Earnings of the Line for each Year since it was opened.

Year.	Gross Earnings.	Working Expenses.	Net Loss on Working.	Net Gain on Working.
	Rs.	Rs.	Rs.	Rs.
1903–4	1,973,507	2,875,017	901,511	—
1904–5	2,306,912	2,267,320	39,592	—
1905–6	3,073,932	2,223,757	—	850,175
1906–7	3,618,178	2,466,720	—	1,151,458
1907–8	3,481,048	2,510,350	—	970,698

NOTE.—It is estimated that the whole of the remaining balance of capital moneys will be required to complete the equipment of the line to deal with existing traffic. Further capital expenditure will, no doubt, be needed eventually for branch lines, additional rolling-stock, and other works, in order to obtain a better return on the capital already expended, but no trustworthy estimate of the amount of money required for these objects can at present be framed.

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1908.

WEST INDIES.

A LIST

OF THE

LAWS DEALING WITH THE EMIGRATION OF LABOURERS FROM THE BRITISH WEST INDIAN COLONIES TO FOREIGN COUNTRIES.

Presented to both Houses of Parliament by Command of His Majesty.
January, 1908.

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1908.

[Cd. 3827.] *Price ½d.*

A List of the Laws dealing with the Emigration of Labourers from the British West Indian Colonies to Foreign Countries.

BAHAMAS.

Act 7 Edward VII., cap. 3.—The Emigrant Labourers Protection Act, 1907.

BARBADOS.

Act No. 8 of 1891.—The Emigration Act, 1891.
Act No. 9 of 1904.—The Emigration (Amendment) Act, 1904.
Act No. 37 of 1907.—The Emigration (Amendment) Act, 1907.

BRITISH GUIANA.

Ordinance No. 1 of 1864.—The Emigration Regulation Ordinance, 1864.

BRITISH HONDURAS.

Chapter 71 of the Consolidated Laws, 1886.—The Labour Law, Hire, and Service.
Ordinance No. 9 of 1887.—An Ordinance to Amend the Labour Ordinances, 1883 and 1884.
Ordinance No. 15 of 1894.—An Ordinance to Amend the Labour Law.
Ordinance No. 14 of 1900.—An Ordinance to Amend the Labour Law.

JAMAICA.

Law 10 of 1885.—The Emigrants Protection Law, 1885.
Law 23 of 1902.—The Emigrants Protection Law, 1902.
Law 5 of 1905.—The Emigrants Protection Law, 1902, Amendment Law, 1905.
Law 33 of 1905.—The Emigrants Protection Laws Further Amendment Law, 1905.

LEEWARD ISLANDS.

Antigua. Ordinance No. 6 of 1906.—The Emigration Regulation Ordinance, 1906.
Dominica. Ordinance No. 4 of 1906.—The Emigration Regulation Ordinance, 1906.
Montserrat. Ordinance No. 5 of 1906.—The Emigration Regulation Ordinance, 1906.

TRINIDAD.

Ordinance No. 106.—The Foreign Labour Contract Ordinance (1900).

WINDWARD ISLANDS.

Grenada. Ordinance No. 5 of 1899.—The Emigration Regulation Ordinance, 1899.
St. Lucia. Ordinance No. 109.—The Emigrants Protection Ordinance, 1889.
Ordinance No. 3 of 1890.—The Emigrants Protection Ordinance, 1889, Amendment Ordinance, 1889.
St. Vincent. Ordinance No. 12 of 1879.—The Immigrant Labourers Protection Ordinance, 1879.
Ordinance No. 2 of 1900.—The Emigration Regulation Ordinance, 1900.

NOTE.—No Laws dealing with emigration to foreign countries exist in Bermuda, St. Kitts-Nevis, or the Virgin Islands.

Copies of the Laws cited above, with copies of the Regulations, if any, made thereunder, have been placed in the Libraries of the House of Lords and the House of Commons.

No Regulations have been made under the powers conferred by the Laws of British Guiana, Bahamas, Grenada, or St. Vincent.

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WESTERN PACIFIC.

CORRESPONDENCE

RELATING TO THE

ADMINISTRATION OF THE GILBERT AND ELLICE ISLANDS PROTECTORATE.

Presented to both Houses of Parliament by Command of His Majesty.
November 1908.

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1908.

[Cd. 4356.] *Price* 3½*d.*

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WESTERN PACIFIC.

CORRESPONDENCE

RELATING TO THE

ADMINISTRATION OF THE GILBERT AND ELLICE ISLANDS PROTECTORATE.

No. 1.

The HIGH COMMISSIONER to the SECRETARY OF STATE.

(Received 24 March, 1908.)

Office of the High Commissioner for the Western Pacific,
Suva, Fiji, 30th January, 1908.

My Lord,

I have the honour to enclose a copy of a despatch received by me from the Resident Commissioner of the Gilbert and Ellice Islands Protectorate reporting on the condition of the islands under his administration during the years 1901-1906.

2. The steady progress indicated is very creditable to Mr. Campbell, and I have little doubt that, with the increased staff which, in another despatch, I shall recommend for your Lordship's approval, the Protectorate will continue to make satisfactory improvement.

3. I have asked Mr. Campbell to make recommendations for revising the existing native laws, and I shall report further at a later date on the question of island funds.

I have, &c.,
EVERARD im THURN.

Enclosure in No. 1.

Gilbert and Ellice Islands Protectorates,
Resident Commissioner's Office, Betio, 11th November, 1907.

Sir,

I have the honour to forward herewith the following returns, revenue, expenditure, imports and exports, island funds (balances), relating to the Gilbert and Ellice Islands Protectorates for the years 1901 to 1906, inclusive, together with the following observations: —

2. *Administration.*—The administration of the Protectorates was conducted during these six years with the same, as regards number, permanent non-native staff as was provided 11 years ago, and under similar Revenue Regulations to those introduced in 1903, shortly after the Proclamation of the Protectorates. At the latter end of 1900 Ocean Island (Panaba) was included in the Protectorates.

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3. The Gilbert and Ellice Groups contain twenty-four principal islands. The natives of each of the latter are under a separate Native Government, consisting of a Kaubure (Native Council), a Native Magistrate, or more if necessary, and a Native Scribe. Each Native Government has under its jurisdiction a number of local native police, varying in numbers according to the size and population of an island. The two groups and Ocean Island give twenty-five distinct Native Governments to be kept under supervision. In the absence of a vessel for the use of the Administration and of any frequent or regular means of inter-group, or inter-island, communication, these numerous Native Governments and communities, scattered over a large area of the Pacific Ocean, cannot be supervised as efficiently as is desirable.

4. Official visits, made, as opportunities occur, to the different islands show that the native authorities make some endeavour to discharge their duties at least as far as the spirit of favouritism, with which many of them are strongly imbued, will admit. While many native officials offend in this respect, a few transgress in being over-zealous. During the years under notice the office of Uea, or High Chief, of an island has been abolished with most beneficial results.

5. It is impossible for anyone, without local knowledge, and who has not travelled throughout the islands, to appreciate the difficulties attached, under past and present conditions, to administering these Protectorates, embracing as they do two groups of scattered islands, many of them surf-bound, totally distinct in the character and language of their native inhabitants, and containing a foreign population of varied nationalities.

6. *Island Funds.*—The cost of the local administration of each island is defrayed from the Island Fund, which consists of a land tax and fines levied in the Native Magistrate's Court for breaches of the native laws and regulations. The land tax formerly paid in money is now generally paid in copra. The latter is collected and sold by public tender. By these means the native taxpayer gets the best price for his tax-copra. The system has made it possible to reduce the land tax. On some islands this reduction has been considerable. In addition to meeting Local Government expenditure, the Island Funds provide for the payment of the native taxes to the Protectorate Government. These taxes, assessed in accordance with the number of the native population and the productiveness of each island, average about four shillings per head per annum of the native male population. The island authorities, after payment of their official liabilities, hand any balance there may be at the end of the year to the Protectorate Government. These balances are placed to the credit of their respective islands in the Island Fund Deposit Account, and are available for drawing upon in years of drought. On the 31st December, 1906, these balances reached a total of £13,028 12s. 11d. A portion of this sum is drawing interest which will be placed to the credit of the islands concerned. It is hoped that a large portion of these balances may be permanently invested and the interest thereon applied towards the further reduction of native taxation. This credit balance has been arrived at, it is satisfactory to note, without any increase of taxes. Formerly a large proportion of the balances would have been lost by misappropriation and carelessness on the part of native officials. The condition of the Island Funds shows that the measures taken to protect the interests of native taxpayers have not been unsuccessful.

7. *Native Laws and Regulations.*—The native laws and regulations, as a rule, have been intelligently administered by the Native Magistrates. The latter have occasionally erred in being too severe by inflicting full penalties on first offenders and for minor offences. The native laws now in force, with a few exceptions, were framed, and approved by the late Sir John Thurston, over 13 years ago. The time has arrived when they might be advantageously revised. Considering that the natives of the groups are on the borders of civilization, and that in the past they had for a great number of years a most demoralized class of foreigners living among them, the rarity of serious crimes is remarkable. During the last six years only four murders have occurred, followed by one execution, two life sentences, and the suicide of a murderer almost immediately after committing murder. A satisfactory sign of respect for the law is shown by the fact that natives who are, or who consider themselves to have been, unjustly dealt with by the Native Magistrates and police now await patiently until they have an opportunity of applying to an European Officer of the Protectorate to redress their grievances. Not long ago the custom was for an aggrieved party to seriously incapacitate or kill an offender in accordance with personal inclination and the ethics of his forefathers.

8. *Gaols and Prisoners.*—On many of the islands native authorities are paying more attention to their gaols and prisoners. It cannot be expected that these will be properly looked after until it is possible to exercise general supervision over the various islands.

9. The most useful employment for prisoners would be land reclamation. Large areas could be reclaimed in the two groups. On land being reclaimed by prison labour it should be planted with cocoanut palms and a portion reserved by the Native Government. On coming into bearing the produce should be converted into copra by prisoners, sold, and the proceeds placed in the Island Fund. If the land tax could not be reduced by these means, it might at least prevent having to increase it in the future. The question of land reclamation is of great importance in these Protectorates.

10. *Revenue.*—The revenue of the Protectorates has increased annually. The principal source of increase is from capitation taxes received from Ocean Island.

11. The present annual revenue is not sufficient to provide an adequate staff of non-native officials. Improved Revenue Regulations, now under consideration, should provide for the establishment of such a staff. It has already been mentioned that the Revenue Regulations now in force are similar to others introduced shortly after the establishment of the Protectorates, at a time when the resources of the groups were unknown. Regulations made at such a time could not be otherwise than of an experimental nature. Experience now shows that such regulations may be, and should be, replaced by others of a suitable nature to advance the interests of the natives and to develop the groups.

12. *Expenditure.*—Annual expenditure has been kept well within limits, as is shown by the yearly surplus. Disbursements under the head of "Mails and Travelling" could, and would, have been increased with advantage had more opportunities occurred for inter-island travelling. Increased expenditure has been entailed during the last three years by the establishment of a Medical Department. The latter has been effected without drawing upon any reserves. Annexure I.

13. *Imports and Exports.*—The returns of imports and exports relate to trade goods and copra, respectively, in the Gilbert and Ellice Groups. Annexure II.

14. *Trade.*—Methods of trading in the Gilbert and Ellice Groups are very elementary and leave much room for improvement. Much more and better business would be done were firms and individuals, both importers and exporters, to appreciate the value of time, and to pay more regard to the wishes and requirements of their customers.

15. Many of the islands of the two groups are visited very irregularly and infrequently by trading vessels with the result that the natives thereon can do very little trading. When natives make copra they have to wait for long and indefinite periods before an opportunity occurs for them to dispose of it to a vessel. Finding that they have to bear the losses attached to shrinkage in weight and to deterioration, they only make enough to meet their immediate requirements when a vessel may be expected to arrive.

16. The quality of imported articles of trade is generally very inferior. These articles are introduced under the impression, a very erroneous one, that anything is good enough for the islands. This view may have been very successful many years ago when inferior articles of trade were disposed of to natives jointly with intoxicating liquor, arms, ammunition, and explosives. In order to obtain these articles natives were prepared to buy any rubbish out of a trade room.

17. The Gilbert and Ellice islanders have arrived at a stage when they can discriminate between a good and a bad article of trade. They prefer a good article even if its cost be greater. They have not arrived at that later stage of civilization, reached by many importers, at which "shoddy" is a cult.

18. The two groups are capable of producing a much larger quantity of copra annually, provided that the rainfall be normal and the natives receive more encouragement to trade by being supplied with goods of better quality, and by being offered better prices for produce. Prices now offered are very little in advance of those obtaining years ago when the value of copra was considerably less than it has been of late years.

19. *Population.*—It has not been possible to obtain a reliable census. The Protectorates contain about thirty-five thousand native persons and about three hundred non-native persons.

20. *Missions.*—There are four missionary bodies operating in the Gilbert Group. With few exceptions the work carried on is of a very superficial and desultory nature. The overlapping of various societies holding different views, both religious and social, is detrimental to mission work. It is to be regretted that the power, considerable if united, of these bodies to do good is practically lost.

21. *General.*—Much remains to be accomplished by the administration of the Protectorates. Thanks to the labours of a few subordinate officials, both European and native, a certain advance point has been reached. This point cannot remain stationary, neither can it be passed until provision is made for closer supervision over the several islands, their local governments, their numerous native inhabitants, and their foreign residents of mixed nationalities. It is earnestly hoped that improved administrative measures will shortly be introduced, and that the abovementioned point may be left behind at an annually increasing distance.

I have, &c.,
W. TELFER CAMPBELL,
Resident Commissioner.

His Excellency
Sir Everard im Thurn, K.C.M.G., C.B.,
High Commissioner for the Western Pacific.

Annexure I.

Revenue and Expenditure.

Year.	Revenue.	Expenditure.	Surplus.
	£ s. d.	£ s. d.	£ s. d.
1901	2,554 9 0	1,970 17 11	583 11 1
1902	2,558 8 6	1,927 9 1	630 19 5
1903	3,011 8 3	1,658 13 3	1,352 15 0
1904	3,470 3 0	2,013 8 2	1,456 14 10
1905	3,647 19 1	3,622 11 6	25 7 7
1906	4,345 0 6	3,385 14 3	959 6 3

Annexure II.

Imports and Exports.

Year.	Imports. Value.	Exports. Value.
	£ s. d.	£ s. d.
1901	12,023 11 8	33,131 10 5
1902	12,115 2 1	22,325 15 11
1903	21,840 18 3	30,816 10 9
1904	28,452 16 9	53,508 7 1
1905	16.934 11 0	40,670 18 8
1906	25,646 5 10	50,644 17 4

Annexure III.

Island Funds.—Deposit Account Balances.

Year.	Total Amount.
	£ s. d.
1901	3,339 17 1
1902	4,682 12 7
1903	6,432 6 7
1904	9,778 8 3
1905	11,169 1 11
1906	13,028 12 11

No. 2.

The HIGH COMMISSIONER to the SECRETARY OF STATE.

(Received 24 March, 1908.)

(Extract.)

Office of the High Commissioner for the Western Pacific,
Suva, Fiji, 3rd February, 1908.

Referring to previous correspondence on the subject of the amendment and consolidation of the Gilbert and Ellice Islands Regulations, and the appointment of a resident official at Ocean Island, I have the honour to transmit, for your Lordship's consideration, copies of a draft regulation which, I think, embodies the necessary alterations, consolidates the existing regulations, and provides the means of raising the necessary revenue to meet the cost of the establishment which, after consultation with Mr. Campbell in Fiji, I recommend should, in future, be maintained in the Protectorate. The draft regulation is subject, of course, to such amendments, verbal and in substance, as may be deemed necessary.

Before dealing with the regulation, it will be convenient to state my views as to the staff necessary in the Protectorate at its present stage, and to indicate the sources from which the revenue may, as it seems to me, most conveniently be raised both in regard to convenience of collection and fairness of incidence.

I enclose statements showing

(*a*) Revenue under existing regulations estimated by Mr. Campbell for the years 1907 and 1908 respectively.

(*b*) Estimated revenue under the proposed new regulation.

(*c*) Expenditure at present estimated by Mr. Campbell for the years 1907 and 1908 respectively.

(*d*) Expenditure proposed in future.

(*e*) Extraordinary expenditure.

As your Lordship is aware, the present staff of the Protectorate consists of Mr. Campbell, Resident Commissioner, an assistant, and an interpreter, all of whom are situated at Tarawa, in the northern portion of the Gilbert Group. The salaries drawn by these officers are, respectively, £650, £275, and £25. But Mr. Campbell has also the assistance of certain officers not on the establishments, but remunerated partly from Island Funds and partly from the vote for clerical assistance and from commission on the collection of native taxes. There is also a medical officer at Tarawa at a salary of £400 per annum. I think the time has fully come when the remote islands should be placed under the control of officers on the regular establishments of the Protectorate; while, in regard to Ocean Island, it has already been agreed that an official shall be stationed there.

In considering the question of the appointment of an officer to Ocean Island and of the proposed additional staff, it has seemed to me worth considering whether the present headquarters of the Resident Commissioner are in the most convenient and advantageous place. Mr. Campbell is now resident at Tarawa, in the northern portion of the northern of the two groups. That station is, I consider, ill suited for headquarters under present circumstances. The native population is comparatively scanty, and European population and business, except as connected with the Residency, is practically non-existent. Butaritari, where the Residency was originally established, and whence it was moved to Tarawa, seems to me a much more important position from a native and also from a European commercial point of view —and the anchorage in the lagoon is at least as good and safe as at Tarawa. If it were a question between the headquarters being either at Tarawa or Butaritari, the only advantage in favour of the former is, in my opinion, that the headquarters are already there.

Taking into consideration the geographical position of the Gilbert, Ellice, and Ocean Islands, as well as the distribution and character of their respective populations, I think that, provided a sufficient number of Government officers is appointed and properly distributed through the various islands, and that an adequate vessel, either auxiliary or steam, is provided for conveyance of the Administrative Officers, it matters comparatively little where the Resident Commissioner has his headquarters, except that the Residency should not be in any of the southern islands, where there is no European population, and the native population is scantiest.

Ocean Island is situated to the westward, and almost opposite the centre of the Gilbert Group, and is—to an extent which, I believe, no one who has not been there, realises—a very busy and increasingly prosperous place. There is now resident there a very considerable European and other non-native population employed by the Pacific Phosphates Company. There would be much more work for the Resident Commissioner on Ocean Island than elsewhere; and, provided that a proper vessel for transport is provided—he could thence reach almost any of the other islands much more easily than he now can from Tarawa. I, therefore, think that the Resident Commissioner, whoever he might be, should have his headquarters at Ocean Island.

Assuming that the Resident Commissioner is stationed at Ocean Island, with the proposed increased staff, I think his salary should be not less than £800 per annum, while it will be necessary to adapt the existing Government quarters to his use and to provide him with a clerk, and an interpreter, a police officer and gaoler, and with policemen, warders, &c., with the necessary quarters, gaol, and police barracks. The clerk should receive a salary of £200, the interpreter £25, police officer and gaoler £150, while an amount of £70 per annum will probably meet the wages of policemen, gaolers, &c. It is also suggested that the medical officer of the Pacific Phosphates Company should receive an allowance of £50 a year for medical services rendered to the Protectorate.

I propose the appointment of an Assistant Resident Commissioner for Tarawa at £350, and that he should retain the present staff, consisting of a clerk, police, and an interpreter at a cost for salaries of £200, £238, and £25 respectively.

At Butaritari, Nanouti, and Peru, respectively, in the Gilbert Islands, and at a place to be decided hereafter in the Ellice Islands, I would place Government agents, each with a salary of £200 per annum, who will be responsible, under the Resident Commissioner, for the government of the immediately adjoining islands. The estimated native population in charge of each of these agents will be, respectively, 5,000, 10,000, 9,000, and 3,000, while the Assistant Resident Commissioner will have charge of islands the population of which is approximately 10,000. I enclose a rough tracing showing the different islands, the headquarters of the different members of the Protectorate staff, and the estimated population of each group.

To enable the Resident Commissioner efficiently to control his staff, and to enable him to visit the various islands, it is absolutely essential that a vessel, either with steam or auxiliary power, should be provided. Owing to the frequent and extended calms encountered in the islands, a sailing vessel would be practically useless. A suitable vessel of from 200 to 300 tons could probably be purchased for

£7,000. Gear and fittings are estimated at £300, and an oil launch—very necessary—at £200, or a total expenditure of £7,500.

It will be convenient, while dealing with extraordinary expenditure, to add that a considerable addition to the Government residence at Ocean Island together with offices, quarters for clerk, and interpreter, and the necessary police buildings and gaol and barracks may be estimated at £1,500. Four small houses at, say, £350 each should be provided for the Government agents, so that the total extraordinary expenditure may be put down at £10,400.

To meet this charge, I would recommend that the accumulated balances of the Protectorate, now some £7,000, be depleted to the extent of half the amount of £10,400, the balance being advanced at interest, say, 4 per cent. from Island Funds to be repaid as the circumstances of the Protectorate permit.

If your Lordship approves my suggestion to purchase an auxiliary vessel, the annual charges for upkeep will be £240 wages of master, £180 for engineer, £75 for boatswain, £60 for cook and steward, and £100 for crew, or a total of £655 for wages. To this must be added an amount of £600 under other charges for messing of officers and crew, maintenance of ship, fuel, &c., but there will be a reduction on the present vote for mails and travelling of £500 per annum.

The vote for salary of medical officer, £400, and for upkeep of Tarawa hospital, for repairs and upkeep and rent of stations, for miscellaneous services and stationery will remain as at present. There will be some additions for rations and clothing of police, which I have put down at £212, making the total of this item £650. The cost of additional clerical assistance and commission on collection of taxes may be reduced from £300 to £50.

The total cost of establishments as proposed above, and the estimated cost of other charges are shown in enclosure No. 5 as £6,313. It is necessary, however, to estimate for a slightly higher amount to meet contingencies, and to provide a sinking fund for repayment of the amount to be borrowed from Island Funds, as proposed above. I, therefore, think that a revenue of, say, £9,000 per annum should be aimed at.

Mr. Campbell's estimates of revenue for 1907 and 1908 are shown in enclosure No. 2 as £3,740 and £4,300 respectively. Existing taxation may, therefore, be said to produce £4,000 a year, so that an extra amount of £5,000 must be provided. Mr. Campbell's suggestions are to increase existing sources of revenue, principally trading licences, ships' licences, and capitation taxes. These taxes seem to me already high, and any increase in them would probably materially interfere with trade. The capitation tax is objectionable in so many ways that instead of increasing it I should greatly prefer to abolish it altogether, and to substitute other taxes.

Mr. Campbell has suggested an export duty on copra, and an import duty on spirits, perfumery, wines, and tobacco, an increase from four to five shillings in the fee for dog registration, and a licence fee for registration of firearms. The additional revenue from the last two sources is small, but I see no objection to the imposition, and I have, therefore, adopted this part of his suggestion. An export duty on copra does not commend itself to me; but the time has come for the imposition of import duties on spirits, perfume, and wine, estimated to return £1,000 a year, and on tobacco, the revenue from which is placed at £4,500.

The Gilbert and Ellice Islands, with a native population of 35,000, and a non-native population exceeding 300, and with imports and exports valued at over £80,000, cannot be considered highly taxed at some £9,000 per annum, which will provide a fairly adequate staff for present circumstances. The present administration has done excellent work, but it is useless to expect that the widely scattered islands of the group and the large native population can be adequately supervised by a Resident Commissioner with one European official, and occasional assistance from revenue collectors not on the staff, and without the means of travelling among the islands. I, therefore, strongly recommend the adoption of the proposals that have been made above for improving the administration of these distant and lonely yet interesting islands.

If your Lordship approves the levying of import duties, the necessary regulation dealing with their collection will be prepared.

(Draft.) Enclosure 1 in No. 2.

No. of 1908.

In the name of His Majesty, EDWARD VII., of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, King, Emperor of India, &c., &c., &c.

KING'S REGULATION

(Made by His Majesty's High Commissioner for the Western Pacific, in accordance with the provisions of the Pacific Order in Council, 1893).

To Amend and Consolidate the Regulations affecting the Gilbert and Ellice Islands Protectorate.

* * * * * * *

PART I.

REGARDING TAXATION.

Illegality of unlicensed trading.

1. On and after the coming into force of this regulation it shall be unlawful to trade in the Protectorate except under a licence or licences to be obtained in the manner hereinafter provided.

Station licence.

2. For every licence to trade on shore (hereinafter called a station licence) a sum of twelve pounds shall be paid, and a separate licence must be obtained by every person over two in number who may be engaged in trading on shore in any one station. The right to trade under this licence shall be limited to the premises in respect of which the licence is issued.

Licence for half year.

3. Any person arriving in the Protectorate after the thirtieth day of June in any year may obtain a station licence for the remainder of the year on payment of the sum of eight pounds.

Transfer of licence.

4. Should the holder of a station licence leave the Protectorate temporarily the Resident Commissioner may on application transfer such licence to some other person to be approved by the Resident Commissioner, and for every such transfer a fee of one pound shall be paid. Provided that a station licence may not be transferred more than once in any year. In the case of the holder of a station licence leaving the Protectorate temporarily before having renewed such licence and returning before the thirtieth day of June the Resident Commissioner may issue to him a licence for any broken period on payment of a fee at the rate of one pound per mensem, and after the date aforesaid the fee shall be as laid down in section three thereof.

Ship's licence.

5. For trading from or on board of any ship or sea-going vessel a licence (hereinafter called a ship's licence) shall be obtained. Such ship's licence may include the whole of the Gilbert Islands or the whole of the Ellice Islands, or may refer specifically to one or more islands. For a ship's licence embracing the whole of the Gilbert Group or the whole of the Ellice Group a sum of one hundred pounds and for one embracing the whole of the two groups of the Gilbert Islands and the Ellice Islands the sum of one hundred and fifty pounds shall be paid. For any other ship's licence a sum of fifteen pounds shall be paid for every island to which such licence shall apply. Every ship's licence shall be available only for the ship or vessel in respect of which it is issued. Provided always that on proof to the satisfaction of the Resident Commissioner that any vessel duly licensed under this regulation has been withdrawn from the Protectorate and another vessel substituted therefor the Resident Commissioner may, on surrender of the ship's licence first issued, issue a substituted ship's licence as in Schedule C of this regulation in respect of the vessel so substituted as aforesaid, and for every such substituted ship's licence a fee of one pound shall be paid. Not more than one substituted ship's licence for any licensed vessel shall be issued during any year.

Substituted ship's licence.

Boat's licence.

6. For each boat or punt carrying passengers within the Protectorate an annual licence shall be obtained at the rate of ten shillings for every ton of carrying capacity, such capacity to be estimated by the Resident Commissioner or by some person duly authorised by him. Provided that boats being part of the equipment of any ship or vessel holding a ship's licence, and punts or boats used exclusively for supplying water, coal, or other stores to His Majesty's ships of war, shall not be required to take out such licences.

Exemption from boat's licence.

Term of licences.

7. Every station licence, ship's licence, and boat's licence shall, except as provided in section four hereof, be for a period of one year to commence on the first day of January; and a substituted ship's licence shall be available only for the remainder of the year in respect of which the original licence was issued. Such

licences shall apply only to the island or group of islands in respect of which they have been issued, but for the purposes of such licences all islands situated on the same lagoon shall be deemed to constitute one island.

Power of Resident Commissioner to refuse licences.

The Resident Commissioner shall have power to grant or refuse any licence or to renew any licences, subject to appeal to the High Commissioner.

Capitation Tax remitted and Import Duties substituted.

Dutiable goods to be imported at ports of entry only

8. From the date of the coming into force of this regulation capitation tax on non-native persons shall cease to be paid, and in substitution therefor the following duties shall be collected and paid on goods imported into the Protectorate; that is to say, ninepence for each pound avoirdupois weight of tobacco manufactured and unmanufactured, fifteen shillings for each gallon of spirits and perfumery, and four shillings for each gallon of wine. And such goods shall be imported only at such places as the High Commissioner may by regulation or Proclamation declare to be ports of entry.

Issue of licences.

9. Station licences, ships' licences, and boats' licences available for any island or group of islands in the Protectorate shall be obtained from the Resident Commissioner, and the Resident Commissioner may, with the approval of the High Commissioner, appoint persons to receive the taxes and licence fees provided for in this regulation and to issue licences as aforesaid. Every such person receiving taxes or licence fees shall at the earliest opportunity forward the amount received to the Resident Commissioner, or otherwise dispose of it as may be directed by the Resident Commissioner.

Penalty fo unlicensed trading.

10. Any person trading on shore or employing another person to trade on shore without the necessary licence having been first obtained, and any person trading on shore otherwise than on the premises of a licensed station, shall be liable on conviction to a fine not exceeding one hundred pounds or to a term of imprisonment not exceeding six months.

Penalty fo not taking out ship's licence.

11. The master or owner of any ship or sea-going vessel who shall without having taken out a ship's licence make use of such ship or vessel within the Protectorate for purposes of trade shall be liable on conviction to a penalty not exceeding one hundred pounds or to imprisonment not exceeding six months.

Penalty fo unlicensed trading.

12. Any person trading from or on board of any ship or sea-going vessel in the Protectorate without the necessary licence having previously been obtained and the owner and master of any such vessel, and any person trading from any punt or boat in the Protectorate shall on conviction be liable to a fine not exceeding one hundred pounds or to a term of imprisonment not exceeding six months.

Penalty fo trading with unlicensed vessel.

13. Any person who shall knowingly accept delivery of goods from or deliver produce to any such unlicensed ship or vessel shall be liable on conviction to a penalty not exceeding fifty pounds or imprisonment not exceeding three months.

Ship-masters to furnish manifest.

14. The master or supercargo of every vessel entering or clearing from the Protectorate shall furnish to the Resident Commissioner declarations of the quantities and values of all goods imported into, or exported from, the Protectorate, and any master or supercargo knowingly furnishing a false declaration of such quantities or values shall be liable on conviction to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding three months.

Enclosure 2 in No. 2.

REVENUE.

——	Estimated, 1907.	Estimated, 1908.
	£	£
Native Taxes	1,700	1,700
Capitation Taxes	350	550
Trading Licences	800	850
Trading Licences, Ships'	700	800
Boat Licences	60	55
Dog Taxes	30	45
Miscellaneous	100	300
Total	3,740	4,300

Enclosure 3 in No. 2.

ESTIMATED REVENUE UNDER DRAFT REGULATION.

Native taxes ...	£1,700
Station licences ...	880
Ships' licences ...	700
Dogs' registration ...	45
Boat licences ...	55
Registration of arms ...	25
Import duties on spirits and perfumery ...	1,000
Import duties on tobacco ...	4,500
Miscellaneous ...	300
	£9,205

Enclosure 4 in No. 2.

EXPENDITURE.

———	Estimated, 1907.	Estimated, 1908.
	£	£
Salaries:		
Resident and Staff ...	1,600	1,800
Police ...	300	325
Commission on collection of taxes, interpretation and extra clerical assistance.	250	300
Rent of stations ...	50	70
Repairs and upkeep of stations ...	250	350
Rations ...	300	400
Clothing ...	50	50
Stationery and printing ...	50	55
Mails and travelling ...	500	500
Miscellaneous expenses ...	100	150
Betio (Tarawa) Hospital — wages and upkeep.	250	300
Total ...	3,700	4,300

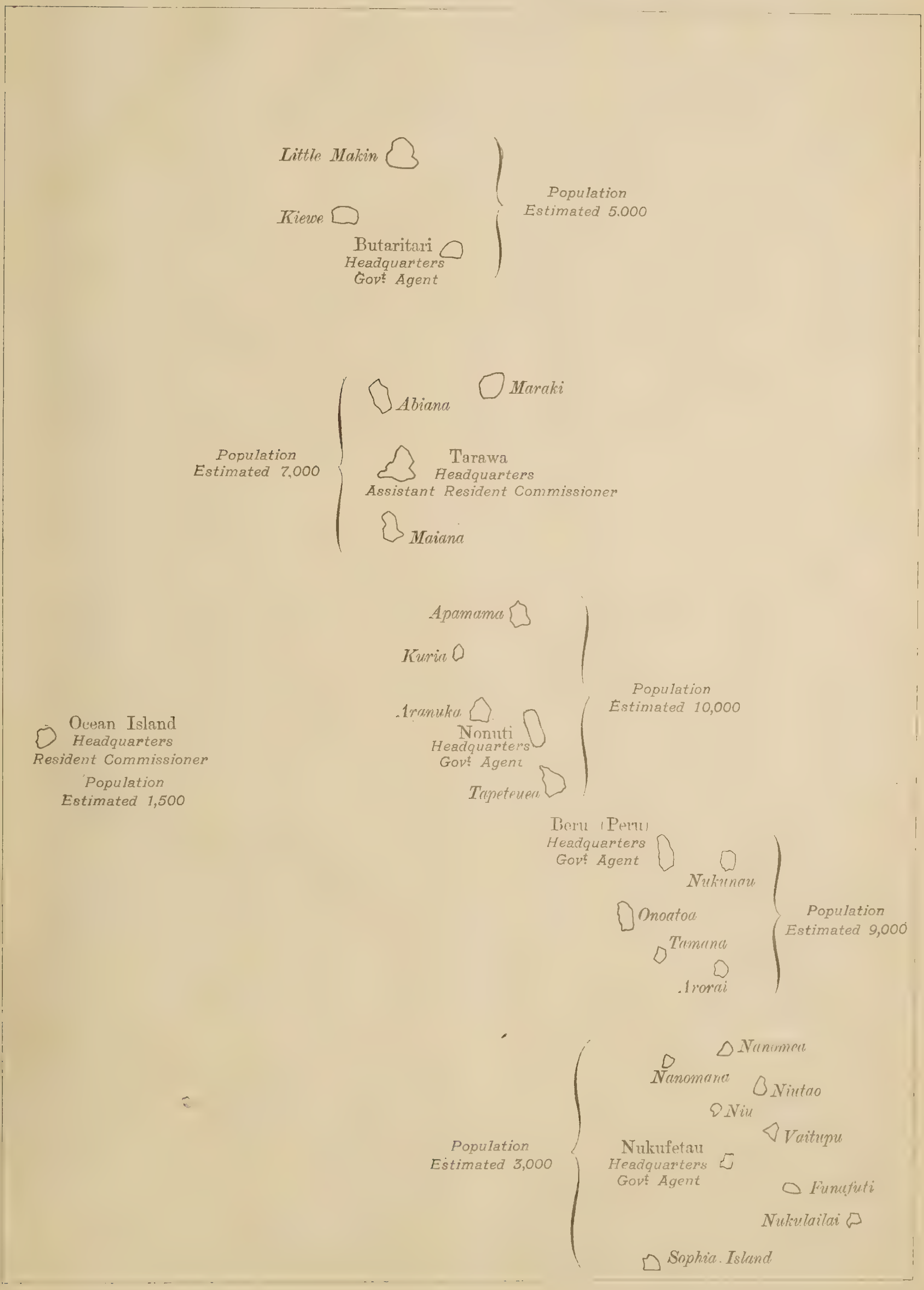
Enclosure 5 in No. 2.

ESTIMATED EXPENDITURE (RECURRENT).

Salaries:—			
Resident Commissioner (Ocean Island) ...		800	
Clerk to Commissioner (Ocean Island) ...		200	
Interpreter (Ocean Island) ...		25	
Police Officer and Gaoler (Ocean Island) ...		150	
Policemen, Gaolers, &c. (Ocean Island) ...		70	
Allowance to Medical Officer (Ocean Island) ...		50	
Assistant Resident Commissioner (Tarawa) ...		350	
Clerk to Assistant Resident Commissioner (Tarawa) ...		200	
Police (Tarawa) ...		238	
Interpreter (Tarawa) ...		25	
Government Agents at Butaritari, Nanouti Peru, in Gilbert Islands, and at , in Ellice Islands, 5 at £200 each ...		1,000	
Medical Officer, Tarawa Hospital ...		400	
Government vessel:			
Master ...	£240		
Engineer ...	180		
Boatswain ...	75		
Cook and Steward ...	60		
Crew ...	100		
		655	
Total, Establishments ...			£4,163

Enclosure No. 7 in Western Pacific despatch of 3rd. Feby. 1908.

ROUGH CHART SHEWING DIFFERENT ISLANDS, GILBERT AND ELLICE GROUP, ESTIMATED POPULATION, AND PROPOSED HEADQUARTERS OF STAFF.


Little Makin
Kiewe
Butaritari
Headquarters
Govt. Agent
Population
Estimated 5.000
Abiana
Maraki
Population
Estimated 7,000
Tarawa
Headquarters
Assistant Resident Commissioner
Maiana
Apamama
Kuria
Aranuka
Nonuti
Headquarters
Govt. Agent
Tapeteuea
Population
Estimated 10,000
Ocean Island
Headquarters
Resident Commissioner
Population
Estimated 1,500
Beru (Peru)
Headquarters
Govt. Agent
Nukunau
Onoatoa
Tamana
Arorai
Population
Estimated 9,000
Nanomea
Nanomana
Niutao
Niu
Vaitupu
Population
Estimated 3,000
Nukufetau
Headquarters
Govt. Agent
Funafuti
Nukulailai
Sophia Island

Ordnance Survey, Southampton

Other Charges:—		
Hospital expenses	250	
Hospital buildings: repairs, &c.	50	
Police, prisons: rations and clothing	650	
Mails and travelling (including upkeep, fuel, &c., of Government vessel	600	
Repairs and upkeep, rent, &c., of stations	350	
Clerical assistance	50	
Miscellaneous, stationery, &c.	200	
Interest, say, 4 per cent. on £5,400	216	
Total, Other Charges		2,366
Total Expenditure		£6,529

Enclosure 6 in No. 2.

EXTRAORDINARY EXPENDITURE.

Purchase of 200-300-ton schooner with auxiliary power	£7,000
Gear, fittings, &c.	300
Oil launch	200
Extra buildings, Ocean Island	1,500
Quarters for Government Agents, 4 houses at £350 each	1,400
Total	£10,400

No. 3.

THE SECRETARY OF STATE to THE HIGH COMMISSIONER.

(Extract.)

Downing Street, 3 June, 1908.

I HAVE the honour to acknowledge the receipt of your despatch of the 3rd of February,[*] on the subject of the Administration of the Gilbert and Ellice Islands Protectorate.

I concur generally in your views as to the reorganization of the Administration of the Protectorate, and I approve the purchase of a sailing vessel with auxiliary steam power at an estimated cost of £7,000, and of a steam launch to cost £500. I also approve the proposals for the provision of new buildings, at Ocean Island, and at the headquarters of the Government Agents. I am prepared to sanction the transfer to Ocean Island of the headquarters of the Resident Commissioner and the increase of his salary to £800 a year.

I feel, however, some doubt as to the means proposed for raising the necessary revenue to carry out the expenses of the Administration. I agree to the abolition of the capitation tax, and the substitution of duties on perfumes and wines and spirits, but I consider that a duty should also be levied on beer, as is proposed in the Solomon Islands; and I would further suggest that the rates of duties on these articles should be the same in the Solomons and in the Gilbert and Ellice Protectorates.

The duty on tobacco seems to me not to be free from objection, and in preference I have asked the Lords Commissioners of the Treasury to reconsider the question of the appropriation to the Protectorate Funds of the revenue from the royalty on the phosphates on Ocean Island. On this question I will address you further when a reply from the Treasury has been received.[†]

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[*] No. 2.

[†] COLONIAL OFFICE NOTE.—Arrangements have since been made for the credit of the royalty to Protectorate funds from 1st April, 1909.

No. 4.

The HIGH COMMISSIONER to the SECRETARY OF STATE.

(Received 6 October, 1908.)

Office of the High Commissioner for the Western Pacific,
Suva, Fiji, 3rd September, 1908.

My Lord,

I have the honour to acknowledge the receipt of your despatch of 1st August,* with which you forward a copy of a question asked and provisionally answered in the House of Commons on the subject of alleged ill-treatment of natives in the Gilbert and Ellice Islands.

2. The charges implied against the Resident Commissioner, Mr. W. Telfer Campbell, are so vague and—as I honestly believe—so entirely unfounded on facts, indeed so discordant with the circumstances which really prevail in the Islands in question, that I find it difficult to answer them, except by a mere direct negative; and this difficulty is accentuated by the facts that the islands named are very far away, are very scattered, and that consequently it is practically impossible to get together any large number of the inhabitants for cross-examination on the allegations. I ought, however, in justice to Mr. Campbell, to make some attempt to answer.

3. Mr. Smeaton asked if the Under Secretary of State was aware that grave charges as follows had been made against the Resident Commissioner in the Gilbert Islands, notably:—

- *a.* That he had compelled natives to labour without wages on public works;
- *b.* that he had compelled them to work without wages on the phosphate concession held by a private company, of which Lord Stanmore is Chairman;
- *c.* that he had flogged for disobedience or dilatoriness;
- *d.* that he had collected taxes from natives in copra, which is their staple food, notwithstanding that the Phosphate Company is said to be making from £80,000 to £100,000 a year clear profit from the guano which the natives collect for them;
- *e.* that these and other statements have been sworn by a late resident in the Gilbert Islands, and confirmed by missionaries and by those influential natives, who have presented a petition of complaint to me since I reported to your Lordship's predecessor in 1906.

4. I will try to deal with the charges which I have lettered *a*, *b*, *c*, *d*, and *e* in order, but before doing so I must explain certain circumstances which affect, and more or less disprove, all of these charges. Mr. Potts, who has been in the Gilbert and Ellice Protectorate, and who must, therefore, know their circumstances, should have explained them to Mr. Smeaton.

5. As a glance at a map will show, the Gilbert and Ellice Islands form a long and practically unbroken chain of islands; and Ocean Island or Panopa, together with Pleasant Island or Nauru, together form a little group some 300 miles to the west of this chain from which they are entirely separated by deep sea. The Gilbert and Ellice Islands are inhabited by natives closely allied by race to each other, and only possibly allied to the natives of Ocean Island, and certainly distinct from the latter. There was certainly little (and probably no) communication between the Gilbert and Ellice Islanders on the one hand and the natives of Ocean Island and Pleasant Island on the other until Europeans settled in those parts. In all the islands mentioned coconuts were the chief product, and almost the sole food of the natives, and this is true to-day of the Gilbert and Ellice Islands, where coconuts are still the sole wealth; and there is no guano—or, at least, none which it pays to collect—in these Islands. But in Ocean Island (as in its companion, Pleasant Island), it has been discovered by Europeans, not by natives, that there is great wealth not of guano (which does not now occur there), but of phosphate rock, *i.e.*, guano in its fossil state. Socially, economically, and from a native point of view, the Gilbert and Ellice Islands are entirely distinct and separate from Ocean Island, though Mr. Smeaton and Mr. Potts obviously refer to them as one homogeneous group.

6. Politically, and as regards European influence in those parts, these islands (the Gilbert and Ellice and Ocean Island) have within the last dozen years acquired

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* Not printed.

a certain kind of nominal unity. For the protection of the natives against beachcombers and against their own incessant internal fighting, the Gilbert Islands were proclaimed a British Protectorate in 1896, and the Ellice Islands were given the same status in the following year; on the other hand, the separate and distant Ocean Island was in 1900, for the purpose of allowing the utilisation of its phosphate rocks, declared not a Protectorate but a British possession; about the same time—for convenience of administration—Ocean Island was placed in charge of the Resident Commissioner of the Gilbert and Ellice Islands; and the whole of these islands are now known by a sort of legal fiction, as the "Gilbert and Ellice Protectorate." The conditions which obtain on the two parts of these Protectorates are entirely different.

7. The Phosphate Company has greatly flourished on Ocean Island, which has become a crowded centre of European industry, and thus—from a social point of view—is even more distinct and different from the Gilbert and Ellice Islands than it was before.

8. The Phosphate Company has sought to recruit labour for Ocean Island, under strictly guarded indenture, from many islands of the Pacific, and for many years did this most successfully from the comparatively near Gilbert and Ellice Islands. But these islanders, having amassed what is for them considerable wealth, by wages earned from the Company, have recently shown a great tendency to return to their original homes and not to re-engage. It is probable that the Gilbert and Ellice Islanders who were thus on Ocean Island for a time as indentured labourers were the only members of their race who have ever been on that island, except perhaps a few who have been storm driven that way in old days.

9. I ask that the differences between the islands which I have above indicated may be borne in mind when reading the following detailed comments on the propositions put forward in Mr. Smeaton's question;

(*a*) Such public work—a few roads and boat landing places for native convenience—as is done in the Gilbert and Ellice Islands by native labour is done under authority of the natives' own laws enforced by the natives' own chiefs, and the only interference by the Resident Commissioner is in the direction of seeing that these laws are not too harshly enforced by the native chiefs. As regards Ocean Island no public works are done either by the actual natives of that island or by the introduced Gilbert and Ellice islanders; and as regards work done in digging and loading phosphates this is done under the directions and for the wages of the Phosphate Company, and here again the only function of the Resident Commissioner is to see that the Company's relations to its native labourer are not overstrained on either side. It is not true that the Resident Commissioner anywhere compels the natives to labour without wages on public works.

(*b*) It is equally untrue that the Resident Commissioner compels the natives to work without wages on the Company's concession; and I may take the opportunity of saying that it would be, I am satisfied, also untrue to say that the Company does or could exact labour from their native employees without paying them fair wages.

(*c*) Flogging for certain minor offences is certainly recognised and inflicted by the native law as administered by the chiefs; but Mr. Campbell's constant effort has been to moderate this. It is certainly not true that he has been guilty of any cruelty or harshness towards the natives by inflicting or countenancing corporal punishment.

(*d*) It is true, but is certainly no injustice, that taxes are collected from the natives in copra. Coconuts are their chief food, but—in the form of copra—are also their only kind of wealth—their money token, their only means of barter, and of their dealings with non-natives. Moreover, it is a *suggestio falsi* to assume that the Phosphate Company (whose operations are confined to Ocean Island) make a large annual sum from the guano which the natives collect for them. There is no guano in any of the islands under consideration; therefore the natives do not collect any for the Company; and though the rock of which Ocean Island, and that island alone, is composed, is almost pure phosphate, this is laboriously dug, not by the unpaid natives but by the 80 or 100 European employees of the Company assisted by their Japanese labourers assisted to some extent—now a very small extent—by the well-paid Gilbert islanders, who have been brought over to Ocean Island under very careful and liberal indenture. And the natives—who do not collect guano for the Company—do pay their taxes in part of the copra which, being over and above what they need for their food supply, they would otherwise sell to the island traders. It is certain that it is better and more agreeable for the natives to pay this tax, which is for their own benefit, and which is paid for at something like the full market value, in kind than from the scanty cash which they would otherwise get for their kind from the traders. Moreover, the copra received for their taxes is sold under a system of contract by public tender called for in the newspapers, and the proceeds, after the value of the taxes has been deducted, are credited to their own Island Funds.

(*e*) It is possibly true that the statements above referred to have been sworn to by a late resident in the Gilbert Islands, and if so, I have no wish to assume that that resident committed voluntary perjury, but I confidently assert that he has allowed his imagination and prejudice to drive him into utterly erroneous statements. Moreover, it is utterly untrue that any complaint against Mr. Campbell's treatment of natives has been presented to me by any missionaries or natives since I reported to your Lordship's predecessor. I have never heard of any such petition or complaint; and Mr. Campbell, whom I recently saw, has satisfied me that he has not heard of any such petition or complaint.

10. I will only add that, in my opinion, the defect in the administration of the Gilbert and Ellice Island Protectorate has been in the inadequacy of the staff of the Resident Commissioner to deal consistently and firmly with so many small island communities, almost purely native—with the exception of that on Ocean Island—scattered over so vast an area of seldom-visited sea. It is quite possible and probable that abuses exist, especially in the less visited islands, and by the acts of the natives themselves against other natives; and I think it is quite certain that there has not been sufficiently close supervision over the expenditure by natives of that portion of the proceeds of the native tax as is devoted to their self administration. But, as you are aware, I have already, after careful consideration, proposed, and your Lordship has accepted, a scheme for extending the European staff sufficiently to keep a check on all the islands.

I have, &c.,
EVERARD IM THURN.

S 10 JAN 1985